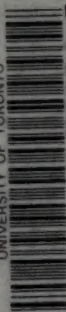



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# HARVARD POLITICAL CLASSICS

PUBLISHED UNDER THE DIRECTION OF  
THE DEPARTMENT OF GOVERNMENT

VOLUME I

HARVARD POLITICAL CLASSICS

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THE DEPARTMENT OF GOVERNMENT

VOLUME I



# THE POLITICAL WORKS OF JAMES I

REPRINTED FROM THE EDITION OF 1616

*WITH AN INTRODUCTION*

BY

CHARLES HOWARD McILWAIN

PROFESSOR OF HISTORY AND GOVERNMENT  
IN HARVARD UNIVERSITY



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TO  
KATHLEEN McILWAIN





## PREFACE

THE needs of a thorough student of the history of political thought can never be adequately met by mere fragments torn out of the classical writings of the past, useful though such fragments may be. For the student needs to know not alone *what* the masters thought, but also *how* they thought; and this he can never learn solely from modern histories, or even from detached bits of contemporary writings without the nexus of continuous argument by which the writers originally wove these *dissecta membra* into one whole. For such a student the thing most necessary — particularly if the ideas are of an age far removed from his own — is not the bare outline, the mere anatomy of the political thought of that age. He needs above all somehow to gain an appreciation of the whole political mind of the period, the very breath and movement that once galvanized these elements into a thing of life capable of inspiring the thoughts and guiding the actions of generations of men. Unless by long and patient contact he has become accustomed to the “intellectual climate” — to use a happy phrase of Mr. Balfour’s — the net result of his studies is likely to be comparatively useless to himself and to others. There is no royal road to a real and sympathetic appreciation of the thought of past epochs.

It can never be gained by the mere piecing together of political aphorisms, however skillful the modern editor may be in their selection. To a reader or investigator of intelligent aspiration and proper conscientiousness no other path is open save the old-fashioned study of the important contemporary writers *in extenso*.

This it was, together with the unfortunate difficulty of obtaining texts of many of these important political works in their entirety, that led to the belief that a republication of some of these classics as nearly as possible in their original form and extent might be a valuable service to present-day students of the history of political thought and institutions.

This volume, it is hoped, will be the first of such a series, and the reprinting of others will depend somewhat upon the reception obtained by this.

Naturally, the editing of subsequent volumes must be determined in large part by the nature of the volumes themselves and by the judgment of their editors, but a word or two may be said of the method employed in the present one.

As the main purpose has been to make the political works of James I again generally accessible in the form and extent in which they originally

played their part in the development of political ideas, it seemed best to reprint without abridgment or alteration the text of these writings as it appeared in the edition prepared for the King's printer by James Montagu, bishop of Winchester, in the King's lifetime and, no doubt, under his direction. For the general purpose intended, it was deemed inadvisable and unnecessary to cumber this text with variant readings or even with explanatory notes. It was felt that this general purpose would be better served, if such statements and explanations as the editor considered necessary to an understanding of the circumstances of the original publication and of the trend of political thought to which these writings contributed, were set forth in more consecutive form in a separate introduction which the reader might read or not as he pleased. This method has therefore been followed.

But in applying it, the exigencies of modern printing have made necessary a few modifications that should be noted here. For example, the 1616 edition of the *Basilikon Doron* from which this is reprinted has a number of topical notes in the margin. These add nothing to the text, and are not found in the original edition printed at Edinburgh in 1599. They appear first in the editions of 1603 and are copied exactly from these in that of 1616. It has not been considered necessary to retain these in the form of footnotes in the present edition. Likewise, in the margins of the pages of the editions of 1603 and of the edition of 1616 numerous references are given to authors chiefly classical. These are wholly wanting in the edition of 1599 though the Biblical references are present in all editions. All these citations it was decided to retain in the present edition, as having a possible value to the reader in indicating the sources of the King's political ideas — a "possible" value only, because it cannot be entirely certain whether they are the work of James himself or of some editor. It has, however, been necessary to place them at the foot of the page, instead of at the side as in the edition of 1616, and to indicate by a number in the text as nearly as possible the passage to which the reference probably belongs. As the citation is usually very general, and as there is no indication in any of the early editions save its position in the margin to what sentence it refers, the position of the number in the text to which the number of the citation corresponds must be considered as approximate only. These citations sometimes indicate the book or part of the work referred to, but oftener they give nothing but the work itself, as "Cic. in Of.," "Plato in Polit.," "Isoc. in panegy.," "Sal. in Jug.," "Sal. in Cat.," "Plu. in Thes.," etc. As these references are so loosely made that in many cases identification is impossible, as they are seldom appended to direct quotations, and particularly as they are not certainly the work of the author himself; it was thought that the usefulness to a modern student



of indicating them more exactly by book and section where possible would be incommensurate with the amount of labor required. Though often obscure and even inaccurate, these notes have, therefore, been left exactly as they were in the edition of 1616, except for their transfer from the margin to the foot of the page and their numbering made necessary by it. If they were the work of the King they indicate a very considerable knowledge of the classical writers on politics, but from the loose form of the citations it is often impossible to say whether this knowledge was gained in particular cases from the originals themselves or from Latin or French translations of them, many of which are found in the list of James's books drawn up in his youth. See *The Library of James VI, 1573-1583, from a manuscript in the hand of Peter Young, his Tutor*, edited by George F. Warner, *Publications of the Scottish Historical Society*, vol. XV, Edinburgh, 1893.

The differences between the text of the first edition of the *Basilikon Doron* and that of 1603, the basis of all later editions, are very considerable, but it has been found impossible to give space here to an indication of these differences. They are all given at the end of the reprint of the edition of 1599 published by the Roxburghe Club, London, 1887.

In the case of the *Apologie for the Oath of Allegiance*, the plan followed is in general the same as for the *Basilikon Doron*. The topical sidenotes are omitted, and all the marginal references retained in the form of footnotes. In this case, however, the numbers indicating the passages referred to by these are found in the original text, and it was therefore not necessary to supply them conjecturally when the notes were transferred to the bottom of the page, as in the case of the *Basilikon Doron*.

The 1609 edition of the *Premonition* and the *Apologie* is practically the same as that of 1616, save for some of the references confuting the "Lyes of Tortus," an additional title-page acknowledging the King's authorship of the *Apologie*, and a note concerning the "Copiers faults" in the first edition which is "to be held utterly disclaimed by his Majestie" because "erroneous and surreptitiously sold by the under Officers in the Printing House." The edition of 1616 is here followed without changes or additions.

The title to the *Premonition* — *A Premonition to all Most Mightie Monarches*, etc., on page 287 of the *Workes* (page 110 of this edition) does not occur in the edition of 1609.

All the other works of the King printed here are given exactly as they appear in the edition of 1616, with the uniform exception of the transfer of the notes, where such notes occur, from the side to the bottom of the page, and the attaching of numbers to them.

The general theme of the political thought within the limits of time and space covered by the introduction to this volume might be expressed in the words of the title of Tyndale's book — *The Obedience of a Christian Man*;

of which *Obedience* and *Christian* are equally important. In the discussion of it it would have been fascinating to try to show how the rise of parliamentary government in England has changed the position of the ecclesiastico-political party, sometimes termed Anglican, from a royalist party to one which is now largely anti-parliamentary. Many today prefer to speak of "the Church *in* England" rather than "the Church *of* England," and an indirect cause of this is the political change since the sixteenth century which has made the state church a parliamentary one instead of a church under royal control, a cause indirect, but neither unimportant nor remote.

But the temptation to deal with this interesting phase of the subject has been resisted, because it belongs more to the province of the constitutional than of the political, if such a distinction can ever be very closely drawn; and also because it falls more properly within a chapter of the great controversy in England which comes somewhat later than the period of James I. It is hoped that a subsequent volume of this series may cover this part of the history of English political thought.

But the study of the important phase of the history of divine right and of the opposition to it which falls within the limits of this volume alone cannot be dismissed by any intelligent observer of the political world today as insignificant or antiquarian; nor is the importance of the political questions argued with so much heat in James's day rendered any less for us by the signs today multiplying in Ireland and elsewhere that the Great War may be followed by a renewed discussion of the ever-present problem of clericalism in a form possibly even more violent and acrimonious than that already familiar to students of modern European history, and by the further extension of voluntaryism which may be expected to accompany a growing democratization.

The introduction has suffered very much on account of the editor's enforced absence, in all the later stages of its preparation, from the one place where an adequate introduction could be prepared, the British Museum Library.

For valued help in the publication of this volume thanks are due to the Harvard University Press; and more particularly to Mr. G. A. Parker, not merely for the index, which is his work alone, but also for suggestions and assistance while the book was going through the press.

HARVARD UNIVERSITY.

September, 1918.



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## INTRODUCTION





# INTRODUCTION

## CHAPTER I

IN the history of political thought the opening years of the seventeenth century in which the reign of James I fell are a period of rapid transition. "Before the conditions of modern politics arose," says Dr. Figgis,<sup>1</sup> "Christendom, the union of the various flocks under one shepherd with divine claims, divine origin, and divine sovereignty, had to be transformed into Europe, the habit of competing sects and compact nations." In this transformation we may look upon the closing sessions of the Council of Trent as the turning point. Before 1564 Protestantism might be considered as a revolt; afterward Rome at least could regard it only as a schism. The results were not slow in coming, a stiffening of the opposing forces in preparation for the inevitable struggle for mastery, which exhibited itself first in the world of thought and later in the wars of religion. The reign of James mainly falls within the first of these phases. It has often been remarked how closely religion and politics are bound together in this period. "In England, as well as on the Continent, religion was the chief motive power of the age."<sup>2</sup> Of the early years of the seventeenth century, as of the whole preceding one, "it is right to treat the growth of political ideas as a branch of ecclesiastical history."<sup>3</sup>

To understand the political thought of James I and his time it is necessary, therefore, first to pass in brief review "The Rise and Growth of the Anglican Schism" and the development of political ideas that accompanied it.

In spite of the lingering shadow of the Roman Empire, in England, as in parts of the Continent, the feudal particularism of the Middle Ages had by the sixteenth century completely merged into the national "commonwealth." And with the idea of the commonwealth had come the need of restating the relations of its parts one with another, in particular, those of the king and his subjects; while at the same time the changed aspect of the external relation of the State, due to much the same causes, was making apparent the necessity for a new formulation of the rules concerning the relations of sovereign commonwealths to each other. It is not strange, then, that the modern theory of sovereignty should date from the sixteenth century, or that a new conception of international law should follow so closely in its wake. But the most difficult and most pressing political problem of the age of Bodin and Grotius was the reconciling of these new conceptions of the State, both on the constitutional and on the international side, with an idea of the Church derived in large part from imperial Rome, and an idea as yet less affected by the growing spirit of nationality than that of the State.

<sup>1</sup> *From Gerson to Grotius*, pp. 23-24.    <sup>2</sup> Prothero, *Select Statutes*, p. xxx.    <sup>3</sup> Figgis, *op. cit.*, p. 31.



In an age in which *majestas* could be defined as *summa in cives ac subditos legibusque soluta potestas*,<sup>1</sup> the question could not remain long in abeyance whether the magistrate wielding such unbridled power derived it from God directly, or from the other members of the commonwealth, or from God *through* the people; and if from the people, whether the *Lex Regia* by which it was conferred could or could not be revoked by those who had made that law.

Thus in the sixteenth century, on the Continent, and in England to a degree surprising in view of the trite phrase "Tudor absolutism," questions were mooted touching the source, the nature, and the extent of royal power; questions of election, of contract, of restrictions imposed by the coronation oath; assertions of the right of the people collectively to judge, to depose, and even to kill the king, a right attributed in rare instances even to individual subjects. Thus the author of the *Vindiciae Contra Tyrannos*: Principes eliguntur a Deo, constituuntur a populo. Ut singuli principe inferiores sunt, ita universi & qui universos repraesentant regni officarii, principe superiores sunt.<sup>2</sup> Populum universum, he says, Rege potioem esse<sup>3</sup> — etsi singuli Rege inferiores sint.<sup>4</sup> Therefore, while lawful assemblies of the people may depose tyrannical rulers and set up others in their place<sup>5</sup> . . . singuli sive privati . . . gladium non stringent: quia non a singulis, sed ab universis, constituti sunt.<sup>6</sup>

This remarkable book is the clearest, as it was probably the most influential statement of the anti-monarchical view then prevailing, a view that is obviously constitutional, aristocratic even, rather than democratic. Buchanan's opinions are much more radical but their influence is attested by the widespread opposition they provoked.<sup>7</sup>

<sup>1</sup> Bodin, *De Republica*, lib. i, cap. viii, p. 78.

<sup>2</sup> P. 355.

<sup>4</sup> P. 276.

<sup>3</sup> P. 273.

<sup>5</sup> P. 282.

<sup>6</sup> P. 355. For similar statements, see pp. 287, 341-342. His views are summarized on p. 355. The book was first published in 1576.

<sup>7</sup> B. Mutua igitur Regi cum civibus est pactio.

M. Ita videtur.

B. Qui prior a conventis recedit, contraque quam pactus est facit, nonne is pacta & conventa solvit?

M. Solvit.

B. Solutum igitur vinculo, quod Regem cum populo continebat, quicquid juris ex pactioe ad eum qui pacta solvit pertinebat, id, reor, amittitur.

M. Amittitur.

B. Is etiam cum quo erat conventum, aequae fit atque ante stipulationem erat, liber.

M. Eodem plane jure, atque eadem libertate.

B. Rex autem si facit, quae sunt solvendae societati humanae, cujus continendae causa fuit creatus, quid eum vocamus?

M. Tyrannum, opinor.

B. Tyrannus autem non modo non justum habet imperium in populum, sed etiam populi hostis est.

M. Hostis profecto.

B. Cum hoste, ob graves & intolerabiles injurias est justum bellum.

M. Justum sane.

B. Quid in eo, quod cum totius humani generis hoste, hoc est tyranno, geritur?

M. Justissimum.

Two general causes might be assigned for this outburst of political thought and radical opinion in the sixteenth century: the after effects of the Renaissance, and the diversity of religious views made possible by the Reformation. The second was peculiarly potent, and nowhere did it affect politics in greater degree than in England where the break with Rome was from the outset so largely political. To this cause is due the fact that the politics of two centuries turns so largely on questions religious and ecclesiastical. In the discussion of tyrannicide, for example, which furnishes so much of the current political controversy, the tyrant is usually an apostate or one who differs from his people in religion, whose oppressive acts consist of religious persecution. Thus with this new diversity of religious views men often found themselves torn between their sovereign and their church. It was a competition between the loyalty due the State and that demanded by the *Respublica Christiana*, a dilemma between human and divine law. Politics took on a cast almost entirely theological or at least ecclesiastical. Under monarchical government it was natural that the first assertions of anti-monarchical opinions should proceed from those upon whom the weight of persecution fell heaviest, or from such as saw the least hope of converting their rulers to their own religious views.

The key to the political thought of the time is the fact that all men still held the mediaeval conception of the necessity of uniformity though diversity had in fact come into existence. There was no one who did not look with horror upon the toleration of doctrines different from his own. Toleration was not an accepted principle. One's own views were to be respected not because religious opinion is beyond the sphere of state action, but because they alone were true and the others false. Diversity in an age of uniformity inevitably brings persecution, and the acceptance of uniformity as a principle means that each party demands the supremacy of its own doctrines. Such a party when overmastered, or when it

B. Bello autem cum hoste justa de causa semel suscepto jus est non modo universo populo, sed singulis etiam hostem interimere.

M. Fateor.

B. Quid tyrannum hostem publicum, quocum omnibus bonis perpetuum est bellum? nonne singuli e tota generis humani multitudine jure omnes bellorum poenas ab eo expetere possunt?

M. Video nationes fere omnes in ea fuisse sententia. *De Jure Regni apud Scotos, Dialogus*, p. 62.

This supposed dialogue between Buchanan and Thomas Maitland (Maetellanus) was first published in 1579. Its popularity was great and immediate. Three editions appeared in three years. A number of books were published in reply and the references to it, hostile or favorable, in subsequent political writings are innumerable.

Mr. Gooch gives an admirable account not only of the dialogue itself (*English Democratic Ideas*, pp. 45-48), but also of the antecedent Scottish political philosophy (*Ibid.*, p. 42 et seq.) and the subsequent influence of Buchanan's book. Lossen (*Die Lehre vom Tyrannenmord*, note 35, pp. 48-49), enumerates the principal authors of answers to it, probably the most important being Adam Blackwood, and William Barclay in his *De Regno*. Sir George MacKenzie, no favorable critic, declared, "It's undeniable that *Buchanan* wrote this Book, *De Jure Regni*, to persuade *Scotland* to raise his Patron, [Murray] though a Bastard to the Crown." *Jus Regium*, p. 6, see also *Ibid.*, pp. 137-138.

For opinions somewhat similar to Buchanan's, expressed later by the Spanish Jesuit and historian. Mariana, see *post*, p. xxvii.



sees its hopes of supremacy frustrated by a king of different belief, is likely to see in that king only a heretic, an apostate, or a tyrant, and from such a position it is only a step to the doctrine that he may be deposed. A party strong enough to hope that its views are or in future may be held by the majority is likely to be satisfied with an assertion of the superior power of the *populus universus*, but a hopeless minority which nevertheless believes it has a monopoly of truth is likely to accept the more desperate doctrine that even a private assassin may be the instrument of God. To Mariana the murder of Henry III of France is "facinus memorabile."<sup>1</sup>

Because they were the men least affected by the influence of authority and because the changes introduced by Henry VIII, going as they did so little beyond matters purely political, were peculiarly unsatisfactory to them, it is the extreme upholders of the reformed religion who become the first English monarchomachs.<sup>2</sup> The views of these men could not be better expressed than in the words of the great Jesuit champion of the Papacy: potestas ecclesiastica, quae spiritualis est, praestest potestati politicae temporali, & eam dirigere debet ad finem supremum aeternae vitae.<sup>3</sup> In Scotland this theory was put in practice, but in England it could only exhibit itself in opposition to the measures and claims of the king.

Calvin had declared that earthly princes who fought against God abdicated their power, ergo conspuere oportet in ipsorum capita; and the extreme English Calvinists were inclined to look upon the retention of Romish forms and the assumption of the king's headship of the Church, alike, as little short of fighting against God. (The second of these objections is sometimes overlooked by modern historians, but it was important, particularly in view of James I's later position, "no bishop, no king.")

It was no Romanist, but Anthony Gilby, a "dear disciple" of Calvin, who wrote of Henry VIII and his reign, "Thus there was no reformation, but a deformation, in the tyme of that tyrant and lecherous monster. The bore I grant was busie wrooting and digging in the earth, and all his pigges that followed hym. But they soght only for the pleasant frutes that they winded with their longe snowtes; and for their owne bellies sake, they wrooted up many weeds; but they turned the ground so, mingling good and badd together, swete and sowre, medecine and poyson, they made, I say, such confusion of religion and lawes, that no good thing could grow, but by great miracle, under such Gardners." The burning of "faithful preachers of the trueth," coupled with the hanging of Papists, proved to him that Henry cared for no Religion. "This monstrous bore for al this," he exclaims, "must nedes be called the Head of the Church in paine of treason, displacing Christ, our onlie Head, who oght alone to have this title. Wherefore

<sup>1</sup> *Joannis Mariana Hispani, e societate Jesu, De Rege et Regis Institutione Libri III.* Moguntiae, 1605, lib. i, cap. vi, 53. The first edition appeared in 1599.

<sup>2</sup> This name was applied to them by William Barclay in his book, *De Regno et Regali Potestate, adversus Buchananum, Brutum, Boucherium, et reliquos Monarchomachos*, published at Paris, in 1600. See Treumann, *Die Monarchomachen*, Leipsic, 1895.

<sup>3</sup> Bellarmine, *Tractatus de Potestate Summi Pontificis*, cap. iii, 40.

in this point, O England, ye were no better then the Romish Antichrist, who by the same title maketh hymselfe a God, sitteth in mennes consciences, bannysheth the Worde of God, as did your King Henrie, whome ye so magnifie. . . . So made you your King a god, beleving nothing but that he alowed."<sup>1</sup>

The similar views of Knox are well known,<sup>2</sup> and his advocacy of the depriving and punishing of a ruler who "fought against God." Whittingham, a fellow exile, shared Knox's views, and they are clearly set forth also by another member of the Frankfort and Geneva congregations, in Christopher Goodman's, *How Superior Powers ought to be obeyed of their subjects, and wherein they may lawfully be by God's Word Disobeyed and Resisted*.<sup>3</sup>

Two years earlier, still another of the Marian exiles, John Poynt, successively bishop of Rochester and Winchester under Edward VI, had published his *Short Treatise of Politique Power, and of the true obedience which subjectes owe to kynges and other civile governours*,<sup>4</sup> in which he argues at length that tyrants may be called to account and punished "by the body of the whole congregation or commonwealth."

These are enough to indicate the real springs of the anti-monarchical doctrine which filled so large a place before the century was over. The appearance on the Continent in the reign of Philip and Mary of so many attacks on royal power written by Englishmen exiled for their religion is an illustration of how much in the history of political theory flows from the actual conditions of the time. Much of that theory has been opportunism. Political doctrines have usually been put forward not in their own interest, but to bolster up some cause. In the sixteenth century it was the cause of religion. But while the Calvinists thus became perforce rather than by inclination the original English republicans, they remained scattered and without a head, and the danger to the existing order of things to be apprehended from their words and writings was soon overshadowed, at least for a time, by a far more imminent peril, when these same doctrines were taken up and employed in the interests of the Papacy by the rapidly-growing Jesuit order, probably the most indefatigable and astute as well as the most centralized and efficient organization of modern times.

If the ecclesiastical settlement of Henry VIII was to the radical Edwardian reformer "no reformation but a deformation," to the adherents of the old faith

<sup>1</sup> *An Admonition to England and Scotland to call them to Repentance*, first published at Geneva in 1558 along with Knox's *Appellation* and *Letter Addressed to the Commonalty of Scotland*. It is reprinted by Laing in volume iv of the works of John Knox, pp. 553-571. The quotation given above is from pp. 563-564 of Laing's edition. This passage was quoted among others, by Thomas Stapleton, *Counterblast*, p. 23, to prove that Protestants were more dangerous subjects than Catholics.

<sup>2</sup> Probably the strongest expressions of these views occur in his *First Blast of the Trumpet against the Monstrous Regiment of Women*, published in 1558, *Works*, iv, 363 sqq., especially 415, 416; and in his *Appellation* from the sentence given against him by the bishops and clergy of Scotland, *Works*, iv, 465-520. See particularly, 487, 490, 496, 498, 499, 506, and 507.

<sup>3</sup> Geneva, 1558. Mr. Gooch gives a summary, *English Democratic Ideas*, p. 36.

<sup>4</sup> This book was reprinted twice in the reign of Charles I. A summary of it is given by Hallam, *Literature of Europe*, ii, 39-41. For another excellent one, see Gooch, *op. cit.*, pp. 34-35. Mr. Gooch's account of the whole democratic movement is admirable, pp. 39-58.



it was anathema. While they held the very opposite view to the Calvinists' in matters of ceremonial, on the question of the king's headship they were heartily at one with Gilby and his party.

Out of this strife between the adherents and the opponents of Henry VIII's ecclesiastical policy English political theory arose. It was in the beginning much the same theory on either side that we find earlier in the literary champions of the Pope and the Empire, and it undoubtedly borrowed a large part of its arguments from the antagonists in that struggle. But the Emperor's power had ended at the Channel, even though the Pope's did not; and strictly English modern political theory practically begins with Henry's Act of Supremacy.

In disproof of this statement the most important writers cited would probably be Wycliffe, Sir John Fortescue, and Sir Thomas More. But the sequence of modern thought cannot be traced to Wycliffe, important as he was in his day, and even for a later day; and Fortescue's *Governance of England* was more constitutional than political, more on the order of Sir Thomas Smith's *Commonwealth* than of Locke's *Two Treatises*. The case of Sir Thomas More is different, but the works of his most important in the beginning of modern English political thought, are his seldom read controversial works in answer to Tyndale and Saint German, not the *Utopia*; for the true test is not merely the subsequent fame of a book, nor even its currency among the *literati* of the time, but rather its effect upon the minds and actions of the men then most active in political life and thought. It must start or stem or divert the current of political thought and action. It cannot do this if it is unrelated to the questions at issue in its day. Judged by such a test the *Utopia*, may have had a more lasting effect in itself, but it did less to turn the minds of contemporaries into the channel which they kept for one hundred and fifty years or more than the *Apologie* or the *Debellacyon of Salem and Bizance*. The history of political theory is not the history of a few isolated political classics, it is the study of a stream of influence which has flowed down from age to age, now deflected by some great event, now determining the course of events themselves; a stream whose own path may often be determined more by a boulder in its way than by a mountain on the horizon. After all, the history of political thought is history, and the tests ought to be historical rather than metaphysical.

One of these events which determine the currents of men's thoughts occurred in England with the enactment of the Act of Supremacy. In 1534 or a half dozen years earlier a controversy began in England which touched the very foundations of government, which raged with unabated fury for a century and a half employing hundreds of pens; and for the larger part of that long struggle the ultimate question at issue was ever the same. From 1528, when Tyndale's book was issued, until the appearance of Hobbes's *De Cive* in 1642, political thought exhausted itself almost wholly on *The Obedience of a Christian Man*.<sup>1</sup>

<sup>1</sup> See Appendix A, p. lxxxi.



At the outset the two chief opposing earthly claimants to this obedience were the Pope and the King. All admitted that the law of God was above any earthly law, but the King was ordained of God and men were directed by the Scriptures to be subject to him. According to Knox the limits of this obedience were reached when the ruler fought against God as Mary did in restoring the authority of the Pope. The Catholics, on the other hand, denied that obedience was due a ruler who refused to accept the papal authority. Neither on the part of the extreme Protestants nor of the Catholics did the objection to royal power in ecclesiastical matters rest on the clear-cut principle that a secular ruler should not meddle in spiritual things. Their objection was based not so much on the King's want of authority in things spiritual, as on his wrongful exercise of that authority, or on the existence of an authority higher than his to which he was subject. The upholders of the King, of course, were not likely to recognize such a distinction between the secular and the spiritual, and Gardiner could exclaim, *qua quidem in re certe non video, cur quemquam offendat, principem Anglicanae ecclesiae caput dici, magis quam regni Angliae caput.*<sup>1</sup>

The doctrine of Pope Gelasius, was, however, not unknown — that the prince is the vicar of Christ as king, while the bishop's authority is a delegation of His power as priest.<sup>2</sup> Though this theory of the duality of divine authority and of the separateness of earthly powers derived from it had been obscured by the long struggle for supremacy between Pope and Emperor, in the sixteenth century the growing strength of secular monarchies not coterminous with Christendom was tending rapidly to revive it. For England, for example, Pole, in his *Ecclesiasticae Unitatis Defensio*, published in 1536, argues against the view of Sampson that because appeals in civil causes are referred to the king, *tanquam ad supremum caput corporis politici, idcirco in Ecclesia, quae nihil commune cum corpore politico habet, idem fieri debere, ipsum etiam in Ecclesia supremum caput esse.*<sup>3</sup>

Though the ultra Calvinists had not originally held this theory of the duality of authority, they were rapidly driven to it by the exigencies of politics. So Andrew Melville declared in the presence of James VI of Scotland "there are two kings and two kingdoms in Scotland, that is King James the head of the Commonwealth, and there is Christ Jesus the King of the Church, whose subject King James VI is, and of whose kingdom he is not a king, nor a lord, nor a head, but a member."<sup>4</sup> The importance of the growth of this theory, upon the idea of separatism, upon the ecclesiastical views and policy of James as King of Great Britain, and upon the attitude today of many English Churchmen and others toward a "parliamentary Church," can hardly be overestimated. It is in many

<sup>1</sup> *De Vera Obedientia*, Goldast, i, 722.

<sup>2</sup> Gelasius I, *Ep.*, xii, 2; *Epistolae Romanorum Pontificum*, ed. Thiel, quoted by Carlyle, *A History of Mediaeval Political Theory in the West*, i, 190-192, esp. p. 191, note 1.

<sup>3</sup> P. 54, ed. of 1587. The italics are not in the original.

<sup>4</sup> Quoted by Figgis, *Aaron's Rod Blossoming or Jus Divinum in 1646, The Divine Right of Kings*, 2d edition, 286. This essay is the most valuable account of the influence of the Presbyterians upon the growth of this theory.

respects the key to the ecclesiastical history of England, particularly in the reign of James I. The Presbyterians were claiming as a divine right an ecclesiastical independence of the secular power, and as Dr. Figgis says, "it is in this very claim that lies the service to true politics performed by the Presbyterian zealots."<sup>1</sup> It "is the special contribution of Presbyterianism to the theory of political freedom."<sup>2</sup> Though the Calvinists were probably the first party to make this theory of Gelasius their own, its influence was soon felt elsewhere. And before the end of the century, under the Act of Uniformity, every ecclesiastical party of opposition in England had adopted it in smaller or greater measure, and even the English bishops and king, though they could not adopt it, were forced to make important concessions to a theory that was too strong to be suppressed. In this lies the explanation of the treatment of Catholics for a hundred years after 1570, and of practically the whole of the ecclesiastical policy of James I.

Among the parties accepting this theory, the Jesuits, in England and elsewhere, became in time the foremost. Brought into conflict with the power of secular governments that recognized no exemption from their oversight, the Jesuits, who had become the chief champions of the Catholic Church and the Papacy, were now forced as the Calvinists had already been to develop doctrines of a limitation of royal power in the interests of the people on the one hand, and on the other of a separation of the fields of ecclesiastical and secular jurisdiction.<sup>3</sup>

James I himself declared, "Jesuits are nothing but Puritan-papists."<sup>4</sup> On one important point, however, they differed from the followers of Calvin *toto caelo*. The remark has been credited to Cardinal Manning that "the Pope was the only plank between the Jesuits and Presbyterianism."<sup>5</sup> Unlike the Calvinists, the Jesuits, while asserting the separation of secular and ecclesiastical jurisdiction had to reconcile this separation with the claims of an absolutist Papacy whose authority was superior to that of all the governments of Christendom, whose decrees in case of conflict must be obeyed even in defiance of the laws and edicts of any state. This necessity led to the formulation of the famous doctrine of the indirect power of the Pope, set forth in its clearest form probably by Cardinal Bellarmine, the foremost Jesuit champion of the Papacy in the later sixteenth century. The most effective statement of this doctrine is probably that of Bellarmine himself:<sup>6</sup> "We understand," says he, "potestatem Pontificiam per se, et proprie spiritualem esse, et ideo directe respicere, ut objectum suum

<sup>1</sup> Aaron's Rod Blossoming or *Jus Divinum in 1646*, *The Divine Right of Kings*, 2d edition, 287.

<sup>2</sup> Laski, *Studies in the Problem of Sovereignty*, p. 49.

<sup>3</sup> Dr. Figgis has made this subject his own. He treats of it in many places in his various books and papers. See especially "On Some Political Theories of the Early Jesuits," *Transactions of the Royal Historical Society*, N. S., xi, 89 et seq.

<sup>4</sup> A Premonition, *Works*, p. 305, post, p. 126. <sup>5</sup> Taunton, *The History of the Jesuits in England*, p. 8.

<sup>6</sup> Bellarmine, *De Romano Pontifice*, lib. v, cap. i-viii, *Opera*, i, 433-444; *Tractatus de Potestate Summi Pontificis*, first edition, Rome, 1610, cap. v, 62-70, also reprinted in *Opera*, v, 23 et seq. (pp. 40-42). My references are to the first edition. The existing literature on this subject is cited and discussed at length in the chapters of *De Romano Pontifice* referred to above.



primarium, spiritualia negocia; sed indirecte, id est, per ordinem ad spiritualia, reductive, et per necessariam consequentiam, ut sic loquamur, respicere temporalia, ut objectum secundarium, ad quod non convertitur haec spiritualis potestas, nisi in casu.”<sup>1</sup> The practical results of this indirect power he states thus: “At si in summo Pontifice ponatur potestas spiritualis tantum directe, et temporalis indirecte, id est, in ordine solum ad spiritualia; non sequitur, posse Pontificem tollere, vel confundere politicum regimen; sed solum sequitur, posse Pontificem per spiritualem, atque Apostolicam eminentissimam suam potestatem dirigere, et corrigere potestatem politicam, eamque, si opus sit, ad finem spiritualem, uni Principi adimere, et alteri conferre. . . .

“Deus non dedit immediate Regnum huic aut illi; sed dicitur potestas Regum esse a Deo, quia Deus voluit esse inter homines potestatem politicam, eamque distinctam ab Ecclesiastica; proinde cum Summus Pontifex transfert Regnum ab uno ad alium, non tollit quod Deus dedit, sed ordinat, et dirigit: et quemadmodum Deus dat Regna hominibus mediante consensu, et consilio hominum; et potest, ac solet ea mutare et transferre de gente in gentem, mediante consilio et consensu eorundem hominum: ita potest majore ratione ea mutare, et transferre propter finem spiritualem per Vicarium suum generalem, quem constituit super totam familiam suam.”<sup>2</sup> Thus the Pope, “Pastor gregis totius, et Praepositus toti familiae, et caput vice Christi totius corporis Ecclesiae, intellegitur habere mandatum regendi, et dirigendi, et corrigendi omnes oves totius gregis; omnes conservos, qui sunt in familia; et omnia membra, quae sunt in corpore; neque excipiuntur Imperatores, et Reges, nisi velint excipi a numero ovium Christi, et servorum Christi, et membrorum corporis Christi. . . .

“Habet Summus Pontifex jure divino potestatem disponendi de rebus temporalibus Christianorum in ordine ad finem spiritualem,” and this is proved by Christ’s giving the keys to Peter, but these are not to be considered “claves Regni terrarum, . . . quia non erat necessarium, ut Summus Princeps Ecclesiae simul esset Monarcha temporalis hujus Mundi: sed intellegitur potestas disponendi de temporalibus, quatenus ea juvant ad aperiendum fidelibus Regnum caelorum, vel impediunt atque obstant, ne fidelibus aperiatur Regnum caelorum.”<sup>3</sup>

These statements contain the whole sum of the Jesuit theory of Church and State, and they explain as no paraphrase could adequately do the fact that the staunchest upholders of an absolute Pope are numbered among the founders of modern republicanism. They make clear the ground of the opposition of James I to the Jesuit theories and his identification of Jesuit and Puritan. In short, they explain much of the history and most of the political thought from the close of the Council of Trent to the outbreak of the Civil Wars; for English policy both internal and external in this period is largely directed against the outward manifestations of this theory, and nearly all the political writing will be found to be aimed at its support or its confutation.

<sup>1</sup> *Tractatus*, p. 63.

<sup>2</sup> *Ibid.*, p. 65.

<sup>3</sup> *Ibid.*, pp. 66-67.



The importance of this theory for the history of political thought, as Dr. Figgis acutely remarks, lies in the fact that it, "marks the change from the idea of one commonwealth with different officers to the modern conception of Church and State as two distinct social entities."<sup>1</sup> This is true, but its final fulfillment only came when the principle of toleration was added to the beginnings made by the Calvinists and the Jesuits. It is worthy of remark also, that Catholic anti-Jesuits like Roger Widdrington and the Barclays, father and son, believed in a more complete separation than that advocated by any Jesuit. To the Protestants, of course, this theory of indirect power was in its day nothing but a pretext to cover Spanish designs upon the English monarchy, a mere subterfuge not put forward in good faith. "Certe male fide res geritur," Andrewes declared,<sup>2</sup> and William Ames, the Puritan casuist, remarked of it, truly enough, "Quod una manu abstulit Papae Bellarminus id altera dat."<sup>3</sup>

But though it must be frankly admitted that opportunism alone dictated the doctrine of the two kingdoms to the Calvinists, and that of the indirect power to the Jesuits, these men, who would have shuddered at the idea of religious liberty, were really laying the only foundation upon which the toleration of a later day could safely rest. Opportunism too has become an odious word, and in justice to these leaders of thought a further word of caution is hardly misplaced. We now look askance at political opportunism as a sign of moral laxity: it is only another name for a want of principle; and this may be justifiable now that our political ends are wholly secular. To do so for the sixteenth century would not be equally just. Because a Bellarmine or a Cartwright advocated a republicanism for which in his heart he cared nothing we should hardly attribute to him a carelessness of principle as to a Disraeli we conceivably might. For to these men republicanism — and in fact all secular politics — was only a means to an end: they thought of it merely as an aid *ad finem spiritualem*. For a like opportunism no modern politician has in any great measure such a justification. It would be unfair, then, to condemn men whose whole political motive was *jus divinum* by the application to them of a standard proper only in an age become secular and utilitarian in all its political thought and action.

Whether or not we approve of his methods and specific purposes, the central motive of a leader whose aim is *ad majorem Dei gloriam* is hardly with justice to be compared to that of a modern politician who is striving only to "dish the Whigs." A sixteenth century Jesuit might be a traitor, but his is not the character of a trimmer. The work of Machiavelli was not yet done.

In the later years of Elizabeth's reign Europe began to see these doctrines of the Jesuits put into actual practice. The history of the Counter-Reformation

<sup>1</sup> *From Gerson to Grotius*, p. 183.

<sup>2</sup> *Tortura Torti*, p. 28 (37 of reprint).

<sup>3</sup> *Bellarminus Enervatus*, i, p. 270. The judgment of Janet is much the same. "Bellarmin ne paraît-il pas ici, en combattant le pouvoir direct des papes, s'attaquer à une chimère imaginée à plaisir pour introduire sous le nom de pouvoir indirect la souveraineté la plus parfaite à laquelle il fût possible d'aspirer?" *Histoire de la Science Politique*, ii, 205.

and of the increased severity of the laws against recusants and proselytizers has often been told and need not be repeated here, but a brief outline of the development of English political thought at this time seems necessary to a right understanding of James I and the theory of his day.

To one looking at this important period over an interval of three hundred and fifty years, two great effects upon English political thought seem to appear as the result of the division between ecclesiastical and secular jurisdiction and of the Jesuit interpretation of it. In the first place, a division among Catholics. A part of the clergy, and many of the laity, at first chiefly the older men who remembered the days of Mary and had never ceased to cling to their old Church and its faith, were willing to accept the existing settlement if they were allowed their own faith and worship, even with some restrictions. Their aim was, in short, toleration for their own religion.

Opposed to these was a growing party, composed of younger and more aggressive men, many of them converts from Protestantism through the teaching of the Jesuits, and filled with the zeal of converts for the reclaiming of Christendom to the Church and the Papacy. Naturally the latter could not be satisfied with a toleration which would only mean the slow death of Catholicism in England. For the sake of England itself anything was preferable to that, even the domination of a foreign prince if he were only a true son of the Church. Between these two parties, the difference was irreconcilable, and it not merely explains the whole policy of the English government toward Catholics in Elizabeth's later years and throughout the whole succeeding reign, but it also furnishes the immediate stimulus to the political thought and its expression in this phase of the great controversy.

The other great result of the theory of the separation of the temporal and the spiritual power and of the papal authority over states *ad finem spiritualem*, was the theory of the divine right of kings to a power which touched the spiritual as well as the temporal. This theory was not new, but some Catholics were now led to accept, or at least to tolerate it, in opposition to a doctrine which they believed to be only a cloak for investing the Papacy with all the old temporal authority which they considered its greatest curse. The effect upon Protestants was far greater. It is hardly too much to say, that it was opposition to the Pope's indirect power which made the theory of the divine right of kings the gospel of practically all English Protestants in this age, save such as could secure protection for their nonconformity only under a theory of independence or separation. The effects of these differences in the development of political thought are hard to overestimate.

One example of the first of these effects was the consolidation of the secular priests in opposition to the Jesuit order, the history of which has been admirably traced by the late Thomas Graves Law,<sup>1</sup> and the publication of a series of books

<sup>1</sup> *A Historical Sketch of the Conflicts between Jesuits and Seculars in the Reign of Queen Elizabeth*, London, 1889; *The Archpriest Controversy. Documents relating to the Dissentions of the Roman Catholic Clergy, 1597-1602* (Camden Soc., 1896).



and pamphlets that in no way yield to the Protestant attacks in bitterness or scurrility.<sup>1</sup> The Elizabethan and Jacobean bishops were not slow to see the opportunity offered by this controversy among the enemy, and left nothing undone — particularly Bancroft, as Bishop of London and later Archbishop of Canterbury — to aggravate the quarrel.<sup>2</sup> This division of Catholics is the key to almost the whole of James's policy towards those of that faith and, as some think, it was to make this breach still wider that his famous oath of allegiance was framed, the most important act of his reign in its effect upon the trend of contemporary political thought.

Among Catholic laymen, also, opposition to this activity of the Jesuits created a small party whose attitude a little resembles that of the French *Politiques*, though their chief aim as appears from the writings of William Barclay, probably their ablest representative, is far less secular than that of the French group, whose attitude is indicated by the well-known reply of Cujas to anyone who tried to entangle him in the religious controversy of the time: *nihil hoc ad edictum praetoris*.

In order rightly to understand the growth of the idea of divine right, which may be regarded as the second great result of the Jesuit doctrine, it is necessary first to look briefly at the later developments of the Jesuit theory and practice to which divine right was opposed before the opening of the seventeenth century. As Bellarmine so clearly indicated, it was a necessary inference from the Pope's divine power *politicum regimen dirigere et corrigere ad finem spiritualem* that he might *potestatem, si opus sit, uni Principi adimere, et alteri conferre*. He was *Pastor gregis totius*; and though *potestas politica* was divine, and even monarchy itself, *particular* sovereigns had no divine right to the office which could stand against a papal decree that the needs of Christendom demanded his removal. The deposing power was a necessary part of the Jesuit theory. And since the particular sovereign's authority came not directly from God, but only through the medium of the people's choice and consent, and since also the Pope's power was not itself a *regimen politicum*, the ordinary means of securing the deposition of a prince, was to absolve his subjects from their allegiance to him.

But the Jesuits well knew that a law without a sanction is an imperfect law, and they were not content to leave the papal decree a mere *brutum fulmen*, as Hotman had called the bull of Sixtus V against Henry of Navarre.<sup>3</sup> Three modes of enforcement were open; *regnum transferre ab uno ad alium* and to summon the new ruler to take possession, in the name of the Church — invasion; second, armed rebellion of the prince's own subjects to carry out the decree — resistance or revolution; and third, the assassination of the monarch by one or more private

<sup>1</sup> Especially *A Decacordon of Ten Quodlibeticall Questions concerning Religion and State*, 1602, by William Watson; and *Important Considerations*, 1601.

<sup>2</sup> The best account of this is contained in Professor R. G. Usher's *The Reconstruction of the English Church*, book i, ch. viii, *Fostering Catholic Disunion* (i, 160-190).

<sup>3</sup> *Francisci Hotomanni J. C. Brutum Fulmen*, originally published in 1586, printed in Goldast, iii, 68 et seq.



persons — tyrannicide. All three of these modes were actually put into effect in this period, and it may be truly said that all three are the result of Jesuit influence, though it does not follow that all Jesuit theorists accepted them all. Bellarmine, for example, while advocating other means, denies that the Pope ever sanctioned assassination,<sup>1</sup> and in France Père Coton was assigned the task of proving this to be the doctrine and policy of Jesuits generally. Mariana, on the other hand, openly advocated assassination by any means except slow poison, and the French *Ligueurs* apparently had few scruples on this score.

Since this deposing power exists in the supreme pontiff ad bonum spirituale si opus sit, it becomes an important question to decide when such necessity arises. In one case at least all Jesuits agreed that it did arise. An heretical or infidel king who attempts to infect his subjects with his heresy — and in that age of uniformity what heretic king did not do this and much more — must not be permitted to reign. It is not merely the right but the duty of the Pope to depose him, and of his subjects to enforce the decree.<sup>2</sup>

These seem to be the parts of the Jesuit theory of Church and State at the end of the sixteenth century which had the greatest influence in moulding the thought and action of the years following. At a single glance it becomes obvious how much English theorists, for two centuries and more owed to a party whom they dared not acknowledge.

A consecutive history of the effect of these theories upon the events of the end of the sixteenth century in England hardly belongs here, but a few observations on their relation to the further development of political thought may be pertinent. The first point here to be observed is the close connection of Jesuit theory and Spanish practice. Loyola himself was a Spaniard before he became a Jesuit. Just as the Christianity of Augustine and Cyprian has been termed *Latin Christianity*, and as that of the Lutherans might be termed Teutonic; so "the new development we have now before us resembles these in being the result of a blending of Christianity with the spirit of a particular nation. It is *Spanish Christianity*."<sup>3</sup> Before the death of Elizabeth, Thomas Campanella, the famous and erratic Italian Dominican was urging that the religious differences in England should be employed by Spain to secure a Spanish succession.<sup>4</sup>

<sup>1</sup> *Responsio*, Works, v, 175. See also Servièrè, p. 58.

<sup>2</sup> This is plainly put by Bellarmine: Non licet Christianis tolerare Regem infidelem, aut haereticum, si ille conetur vertrahere subditos ad suam haeresim, vel infidelitatem, at judicare, an Rex pertrahat ad haeresim, necne, pertinet ad Pontificem, cui est commissa cura religionis, ergo Pontificis est judicare, Regem esse deponendum, vel non deponendum. *De Romano Pontifice* lib. v. cap. vii, *Opera*, i, 441.

<sup>3</sup> Seeley, *The Growth of British Policy*, i, 83.

<sup>4</sup> Animi etiam Catholicorum e somno quasi excitandi ac stimulandi sunt: sic Hispanus, quam primum thronus vacabit, praetextu juvandi illos intrabit in Angliam. . . . Norunt quippe omnes quanta bella intestina, quae alterationes et mutationes in Anglia diversis temporibus fuerint. Ita ut quod proposui, minime novum aut impossibile futurum sit. *De Monarchia Hispanica*, cap. xxv, 208-210. He also urges the building of strong forts at all ports and mouths of rivers in America, ne Angli perrumpentes haeresin importent, qua omnis intentio Hispanica aboleretur, *ibid.*, 285. I know of no other open avowal so cynically proposing that English Catholics should be exploited in

The flight of Mary of Scots to England, the northern rising and subsequent execution of Northumberland, the bill of deposition of Pius V in 1570, the extension of the law of treason by acts of the Parliaments of 1571 and subsequent years, the troubles in Ireland, the establishment of seminaries on the Continent for the training of English missionary priests, the Jesuit missions of 1580, and afterward, the numerous plots to assassinate the Queen — these had all been connected in greater or less degree with the Spanish question as was the case in most of the religious and civil disorders in France at this time. All, however, had been brought to a head by the execution of Mary Stuart in 1587. Her death had given an added incentive and removed an important impediment to a Spanish attack. The Armada and its failure had followed the next year. That failure, however, by no means ended the Spanish influence, and some of its manifestations after 1588 are important for us, among others the quarrel between the Jesuits and Seculars and the publications that resulted. The question underlying this quarrel had begun to be acute immediately after the bull of 1570 and Elizabeth's new legislation against Catholics. It is interesting to note how far Elizabeth's ministers at this time go toward a tacit admission of the doctrine of the two kingdoms, in their defense of the persecution of Catholics. It was their claim that no Catholic suffered at their hands for his religious belief but only for seditious or treasonable words or acts affecting the State, and that the severity of the punishment even of these had been provoked only by the bull of 1570. This is the tenor of the anonymous tract published in 1584 under the title *The Execution of Justice in England*.<sup>1</sup>

This important paper was evidently written by someone high in authority, and it is generally attributed to Lord Burleigh himself. It was answered by William Allen, afterward Cardinal, in his *True, Sincere and Modest Defence of English Catholics that suffer for their Faith both at Home and Abroad*, published in 1584. It is the thesis of this able book in answer to Cecil, that the persecution of Catholics is really religious and not secular, that its true cause is the Anglican schism, not the traitorous actions of Catholics. To prove this he cites the anti-monarchical utterances of Protestants like Gilby or Knox and asks pertinently enough if these are not as dangerous to the State as those of any martyred Catholic. Involved in this whole controversy is the fundamental question, raised by Henry VIII's act of supremacy, of the division of the secular and the ecclesiastical. Allen accepts this division, as Cecil had impliedly done in his defense of the government, but he also adopts the Jesuit doctrine of the "subalternation" of the secular to the spiritual in a Christian state.<sup>2</sup> His attack is keen and hard

the interests of the Spanish monarchy. This remarkable little book has not received the attention it deserves. As usual the historians of thought have neglected it for the author's purely speculative *Civitas Solis*. It was translated into English during the Interregnum to show to Englishmen the danger of Spanish aggression.

<sup>1</sup> *Harleian Miscellany*, ii, 122 et seq. For Hallam's strictures on its author, see *Constitutional History of England*, ch. iii (American ed., i, 155 et seq.).

<sup>2</sup> Vol. ii, 11-12 (reprint).



indeed to answer by a government that claimed the right to punish as a *traitor* anyone who dared call the sovereign a *heretic*. Allen sees with grief the trend toward our modern political conditions where utility has taken the place of divine law; he bemoans the fact that there is "more ado about Caesar's tribute than about God's due."<sup>1</sup> "But now," he says, "and ever when the superiority temporal hath the preëminence, and the spiritual is but accessory, dependent, and wholly upholden of the other, error in faith is little accounted of, whatsoever their pulpit men (to make themselves and their patrons sport) bawl of such matters; and all our doings, endeavours, and exercises of religion are drawn to treasons and trespasses against the Queen; themselves protesting, in all their doings, that they meddle not with us for our doctrine whatsoever; thereby either insinuating that our religion is true, and indeed by the judgment of their own conscience not punishable, or else that they care not for it, nor what we believe, no further than toucheth their prince and temporal weal; wherein yet they wipe so hard as they draw blood."<sup>2</sup> This penetrating statement discloses the weakness of Cecil's argument, and also explains perfectly the theoretical basis of the actions of the aggressive Catholic party. The policy of the state was peculiar, and hard to defend and Allen had probed its weakest point. It is perfectly true that Cecil had in practice been loth to employ the law to restrain men's consciences except when plot and violence had forced his hand — the execution of the law had recognized so far as possible the separation of religion and politics. But his hand *had been forced*, by the necessity of protecting the existing government from overthrow, and he could not have done less with plots and rebellions on every hand. But while he might thus defend his execution of the law, he could only do so by confessing that the law was unenforced. The law itself could not by any sophistry be said not to touch religion. Ever since 1534 the English penal statutes had proceeded on the opposite theory. It was impossible to deny that "the supreme head in earth," or "the supreme governor" of the Church in England was trenching on the authority which most Catholics believed to be *jure divino* the sole right of Christ's vicar on earth, the bishop of Rome. This great controversy seems to us now as a conflict of two great principles. Behind the temporary phases of the quarrel lay an irreconcilable difference. Did the king inherit Christ's powers as priest, or were these the sole right of the bishop?

Sovereigns might in words disclaim any such power, as Elizabeth and James I occasionally did, but so long as they actually exercised it — and who that knows the reign of Elizabeth can doubt that she did? — it is not strange that many Catholics should be disaffected. The position of the English government was in fact indefensible to anyone who held the current Jesuit view of Church and State, and though unenforcement of law might be a concession, the English laws themselves could not be successfully defended either on Calvinistic or on Jesuit principles. It was the Protestant Gilby who declared that the English had made

<sup>1</sup> *Op. cit.*, i, 77.

<sup>2</sup> *Ibid.*, i, 77-78.



their king a God. Whether due to papal action as Cecil claimed, or to the schism of Henry and his successors as Allen asserted, one fact becomes clear. "It was henceforward [after 1571] impossible for any one to be at once a good Roman Catholic and a good subject."<sup>1</sup> The historian may if he be a Catholic put the blame for this terrible dilemma of English Catholics upon the Reformation, as Lingard does; or, if a Protestant, like Froude he may charge it all to the Counter-Reformation and completely exonerate the ministers of Elizabeth. But behind it all a historian ought to see a clash of irreconcilable principles; a contest for absolute power over an undefined field by two *jure divino* authorities, the King and the Supreme Pontiff. Not until schism is recognized as possible even if not legitimate, not till sects are given a status in fact at least, could this question ever be settled. So long as uniformity is a principle of political and ecclesiastical policy, so long as toleration is unknown, that settlement must be delayed. It is only when utility takes the place of divine law as the motive power of political policy that a permanent division of the two jurisdictions can arise, and then it may still be unsatisfactory to those who complain that there is "more ado about Caesar's tribute than God's due." Before that consummation became possible in England, however, the principles of both parties had to be discarded, divine right as well as papal authority in temporal matters *ad finem spiritualem*. While these still confronted each other a lasting settlement was impossible: they were mutually incompatible. It seems idle to question the motives of the leaders of Catholic thought. Men like Allen were sincere. They held, as Bellarmine did, the spiritual principate to be *temporali Principatu longe nobilior*.<sup>2</sup> "Certainly he would be a bold man," says Dr. Figgis, "who should assert that national independence is a greater good than the knowledge of the truth. The Jesuits and Presbyterians chose the one, the *politiques* the other. Were the former quite wrong?"<sup>3</sup> From another angle the same author approaches the same question when he says, "Perhaps it would be most accurate to say, that in the Middle Ages human welfare and even religion was conceived under the form of legality, and in the modern world this has given place to utility" — "and it is not at all clear that we have gained."<sup>4</sup>

Some recent events in the world may well lead us to ask that question again. It is open to question whether our politics are actuated by an ideal higher than that of the Middle Ages. But growing diversity of view as to what truth was made this noble mediaeval ideal no longer possible for the world. We may hope that the greater richness of this diversity may in time produce again a unity that will more than compensate us for what we have lost; but this diversity, we cannot deny, has thus far involved loss as well as great gain. In this development the sixteenth and seventeenth centuries are the unfortunate period of transition when uniformity was still sought and enforced but in the face of actual diversity

<sup>1</sup> Prothero, *Statutes*, etc., p. xlviii.

<sup>2</sup> *Tractatus*, cap. iii, 42.

<sup>3</sup> *Royal Hist. Soc. Trans.*, n. s., xi, 97.

<sup>4</sup> *From Gerson to Grotius*, p. 14.

of belief. It could therefore not be other than a period of persecution. "The greatest mass of mental suffering and physical pain that Europe has undergone since the barbaric ages was brought about by the partially successful struggle of the Catholic reaction to recover revolted Christendom." So wrote Mr. G. M. Trevelyan, no doubt with the Thirty Years' War chiefly in mind.<sup>1</sup> He wrote before the year 1914.

But while we do justice to the Jesuits and their coreligionists of this period, the difficulty of Elizabeth and her ministers must not be forgotten.

Jesuit theory justified and Jesuit practice fomented internal rebellion and external attack in Elizabeth's reign, nor are they entirely unconnected with the many plots against the Queen's life.

Secondary as these might be in a convinced Jesuit to the grand purpose of bringing England back to the true fold, to a Protestant and one charged with the safety of the State, they could be nothing but treason. Undoubtedly it was the connection of these principles and overt acts with Spain that ultimately made them unpalatable to most Englishmen. A man like Allen might honestly prefer to see his native country a Hispanized but Catholic England rather than independent and heretical, but such could not be the view of any sincere Protestant, and time showed that it was equally impossible for the majority of Catholics as well; and when we see Sir Thomas More advocating the use of the *Oath ex Officio* by ecclesiastics of the old faith in order to discover hidden heresy,<sup>2</sup> and Richard Cosin<sup>3</sup> and Bishop Andrewes<sup>4</sup> defending a like forcing of conscience in support of the Queen's establishment, we can appreciate the fact that this was no mere question of men or methods, but a fundamental difference of principle. Each side defended the truth as each saw it. At a time when legality is the test, when one side *must* be true and the other false, the controversy must eventually come to an examination of the relative truth of the two contentions. But what should be the test? The Protestants adopted the doctrine and practice of the early Christian Church as evidenced by Scripture and the early Fathers. The Catholics claimed an equal authority for later theologians and for the decrees of the Popes, as an authoritative interpretation of these, which the Protestants denied.

When we have a proper understanding of the importance of this test of truth — in the eyes of all at that day an absolute test — it will be easy to understand why James I was at such pains in his *Monitory Preface* to prove that he was really orthodox. To do so he had to distinguish between his own position and that of heretics "worthy of the faggot" like Vorstius; and he had to prove the Pope Antichrist, which he attempted to do at great length. Outside England,

<sup>1</sup> *England under the Stuarts*, p. 34.

<sup>2</sup> *Apology*, cap. 40, *English Works*, pp. 907-909; *The Debellacyon of Salem and Bizance*, cap. xv, *English Works*, pp. 986-990, 1028, 1033.

<sup>3</sup> *An Apologie for Sundrie Proceedings by Jurisdiction Ecclesiasticall*, London, 1593.

<sup>4</sup> *Quaestionis: nunquid per jus Divinum, Magistrui liceat, a Reo Jusjurandum exigere*, printed at the end of Cosin's *Apologie*.



✓ || at least, divine right was not enough; he had to prove also that the religion he enforced was *true*, and in its essentials a living branch of the *only* true religion.

With these things in mind it is easy to see how inevitable the struggle was, and how far reaching the issue of the Counter-Reformation. It also becomes easier to be fair in judging the antagonists on both sides. These considerations also serve to explain the position of those Catholics who in this dilemma were inclined to accept a bare toleration of Catholicism coupled with national independence, rather than the supremacy of their church obtained at the price of Spanish domination. It was the activity of a party holding the latter view that brought about the quarrel of Jesuits and Seculars in the last years of Elizabeth.

If Robert Parsons may be considered the leader of the Jesuit party of Englishmen, William Watson was at least the most extreme and the most vocal of this party of opposition, though probably not the weightiest.

To understand James's policy toward Catholicism it will be necessary to look briefly at the position of this party among Catholics. It is made clear enough by the title of the pamphlet which contains the most complete contemporary statement of their views — *Important Considerations, which ought to move all true and sound Catholikes, who are not wholly Jesuited, to acknowledge without all equivocations, ambiguities, or shiftings, that the proceedings of her Majesty, and of the State with them, since the beginning of her Highnesse raigne haue been both mild and mercifull*, etc., published in 1601. This party attributed all the sufferings of Catholic to the wrong-headed and treasonable actions of the Jesuit missionaries. As Catholics they thought this detrimental to the faith in England and the real cause of continued and increasing persecution; as Englishmen they hated it as an aid to Spain.

In the *Epistle* which precedes this manifesto Watson declares, "We all the Secular clergy . . . una voce, do utterly disclaim and renounce from our hearts, both Archpriest and Jesuits, as arrant Traitors unto their Prince and Country; whom to death, we will never obey: No, if the Pope's Holiness should charge us to obey in this sense, to advance an Enemy to the English Crown, we would never yield to it; as by no law of nature, of nations, or of man, to be compelled thereunto."<sup>1</sup> Watson asserts that the King of Spain is not interested in English Catholics, but in securing England for Spain, aided by "the Jesuitical Hispanized Faction of Falsehood, Hypocrisy, Sedition and Treason," in England.<sup>2</sup> Parsons he refers to as a "pestilent Traitor,"<sup>3</sup> and elsewhere he openly charges him with opposing a toleration of Catholics in England because it would interfere with the scheme of a Spanish conquest.<sup>4</sup> The Jesuits, he says, are "wholly Puritanes,"<sup>5</sup> and proceeds to enumerate no less than twenty-five points of similarity, among others a seeking "to pull downe Kings and Princes" and to bring "all Kings and common-wealthes to a popularitie and Oligarchicall gouernement."<sup>6</sup> "Surely

<sup>1</sup> P. 25.

<sup>2</sup> *Ibid.*, 11-12.

<sup>3</sup> *Ibid.*, 14.

<sup>4</sup> *Decacordon*, pp. 151-154.

<sup>5</sup> *Ibid.*, 27.

<sup>6</sup> *Ibid.*, 28.

they [the Jesuits] were, and haue beene traytors both before God and man;”<sup>1</sup> and “All Priests and others, that are not of that seditious Iesuiticall, and Spanish faction, are bound in charitie (as now the case stands) to detect them to the vttermost.”<sup>2</sup>

These were not empty words, for the seculars gave much information to Bancroft and Cecil which was of great use in the prosecution of Jesuits and in thwarting their schemes. No doubt, also, the strength and activity of this party it was that later induced James to attempt to distinguish between loyal and disloyal Catholics by means of the oath of allegiance.

There is no question, either, of the substantial correctness of many of the charges made by Watson against Parsons and others, as will appear later, though the motives he ascribes may not always be the true ones.

Before coming to a more detailed account of the political theory of James I and his reign, it is necessary to understand just one more, but that a most important, political conception which that period inherited from the controversies of the preceding century — the theory of the divine right of kings.

The story of the gradual development of this idea in opposition to the republicanism of Calvinists and Jesuits, has been set forth so completely and so adequately in Dr. Figgis's *Divine Right of Kings*<sup>3</sup> that it is unnecessary and would be almost impertinent to attempt to summarize it here. That book is indispensable to anyone who hopes to understand the theory of James I.

This theory in 1603 presupposed a sovereign who had a personal and an individual right, derived directly from God, to his throne. Some of its adherents in James's time attached this right to the royal office and therefore extended it to the King *de facto* on his institution regardless of the merits of his claims to the crown. The more thorough-going, however, rejected this view and held to a theory of hereditary right analogous to the private right of succession to land under the feudal law. James himself, as was necessary to the security of his tenure, resolutely set his face against any other theory, and it became the core of Jacobitism a century later. The right was *hereditary* as well as *divine*. As this right was divine, the King was God's representative upon earth, with heavy responsibilities, for which, however, he was responsible to God alone. His powers were commensurate. They included nothing less than the complete disposal of

<sup>1</sup> *Decacordon*, 252.

<sup>2</sup> *Ibid.*, 9.

<sup>3</sup> Second edition, Cambridge, 1914. See Particularly pp. 93-106 for a summary of the literature which has made it unnecessary to set it forth here. Probably the most important of these books, hitherto not referred to, is *The True Difference Betweene Christian Subiection and Vnchristian Rebellion: wherein the Princes Lawfull power to commaund for trueth, and indepriuable right to beare the sword are defended against the Popes censures and the Jesuits sophismes vttered in their Apologie and Defence of English Catholikes*, by Thomas Bilson, Warden of Winchester, Oxford, 1585. In this long dialogue of some 820 quarto pages, between Theophilus the Christian and Philander the Jesuite, Bilson gives probably the most complete account on all its sides of the position of the adherents of Elizabeth's policy. It was a storehouse of facts and arguments for later disputants, probably including James I himself, though not quite all of the Bishop's inferences could have been palatable to him.



his subjects' persons and property, and the obstacles put in the way of their exercise by the common law were disposed of by the theorists by the doctrine that the prerogative was *above* the ordinary course of that law, which might therefore be dispensed with when need arose, of which the sovereign alone was to be the judge. This power was not limited by the boundaries of the ecclesiastical and temporal. Contrary to Bellarmine's doctrine, it includes the clergy as well as the laity.<sup>1</sup> Under such a theory the sacred duty of subjects was clear — absolute and unquestioning obedience; and even a bad king, whose possible existence is admitted, is none the less divine because bad; he is sent by God as a punishment of the people for their sins and his tyranny must be met by nothing more than prayers, sighs, and tears. Such was the theory of the Stuart Monarchy, forged in part in the heat of the religious controversy of the preceding dynasty; and with this brief statement of it, we are ready to take up the fuller account of the developments of political doctrine under the first James.

<sup>1</sup> Bishop Overall's *Convocation Book*, pp. 30, 64-65.

## CHAPTER II

IN considering the political philosophy of James I and his reign, probably no subject is better to begin with than the one about which we have just been speaking, the divine right of kings. This doctrine is set forth by James himself in all his political writings from the earliest to the latest, and set forth in its extremest form, no doubt because in practice "he had been kept short of it in his Native Country," as Welwood acutely remarks.<sup>1</sup> In the *Basilikon Doron*, he urges Prince Henry to love God, first because He has made him a man, "and next, for that he made you a little *God*, to sit on his Throne, and rule ouer other men."<sup>2</sup> "I am the Husband, and the whole Isle is my lawfull Wife; I am the Head, and it is my Body," as he put it in startling phrase to his first English Parliament in 1603.<sup>3</sup> "Kings," he declared in his *Defence of the Right of Kings*, are "the breathing Images of God vpon earth."<sup>4</sup> They "are not only *Gods* Lieutenants vpon earth, and sit vpon *Gods* throne, but euen by *God* himselfe they are called *Gods*."<sup>5</sup>

The implications of such a theory in the sphere of the reciprocal relations of the King and his subjects must be treated later, but first it is important to consider by what title the reigning sovereign was believed to hold such awful power.

Among the supporters of divine right, some, as we have seen, considered the absolute power of the king as arising *ex-officio*, regardless of his title. "The possession of the crowne," wrote Sir John Hayward at the opening of James' reign in 1603, "purgeth all defects, and maketh good the actes of him that is in authoritie, although he wanteth both capacitie and right."<sup>6</sup> Convocation itself in the early years of the reign definitely accepted the same theory. "If any man shall affirm that . . . when any such new forms of Government, begun by Rebellion, are after thoroughly settled, the Authority in them, is not of God: or that any, who live within the Territories of such new Governments, are not bound to be subject to God's Authority, which is there executed, but may rebel against the same . . . he doth greatly Erre."<sup>7</sup>

It is not surprising that the English historian of the English Henry the Fourth, or that Tudor bishops should hold such a theory; but if they did, not so the Scots, trained in a different political school. Their views are faithfully reflected by Sir

<sup>1</sup> *Memoirs*, p. 19.

<sup>2</sup> *Ibid.*, p. 488, *post.* p. 272.

<sup>3</sup> *Works*, p. 148, *post.* p. 12.

<sup>4</sup> *Ibid.*, p. 464, *post.* p. 248.

<sup>5</sup> Speech to the Parliament of 1609-10, *Works*, p. 529, *post.* p. 307. The whole passage (*Works*, pp. 529-531, *post.*, pp. 307-310), deserves careful attention as probably the most complete exposition of the King's views of the divine nature of kingship.

<sup>6</sup> *An Answer to Dolman*, ch. iii.

<sup>7</sup> *Bishop Overall's Convocation Book*, book i, Canon xxviii (p. 59).



Thomas Craig the great feudist, in the ablest book written in answer to the republican views of Robert Parsons, a book that deserves to be better known than it is. "Our enquiry here," says Craig, "is not at all of what is Profitable and Advantageous, but of what is Right and Just, and who it is that by the Laws of God and Men has the best Title and Right to the Succession of so considerable an Empire."<sup>1</sup> Not till after the death of Charles I and the republican extremes of the years ensuing did the English royalists unanimously accept this Scottish conception of hereditary right, but then, in the reaction from republicanism it rapidly became the necessary doctrine of Jacobitism. For the essence of Jacobitism is Scottish not English; it is based on the Roman law of Scotland rather than the national custom of England. One of its ablest early defenders was the feudal lawyer Craig, and one of its latest, Sir George MacKenzie, "bloody MacKenzie," the civilian, author of the *Institutions of the Law of Scotland*.<sup>2</sup> The theory, like the blood of the Stuarts, was Scottish, and the older English doctrine revived only when the House of Stuart disappeared. The contest over the Exclusion Bill and the long debate over James II's "abdication" are indications of the strength of this doctrine, but also the prophecy of its end.

James I himself was a true Scot, and to the end of a fairly long life and an English reign of over twenty years could never appreciate or even understand the English constitution. His pedestrian mind, his earlier political experience, and his shrewdness in all things touching his own interests, all contributed to an unwavering insistence on the hereditary character of his title, which appears no less clearly in his earliest than in his latest political utterances. His answer to Convocation's assertion of the right of a *de facto* king was a sharp letter to George Abbot, afterwards Archbishop. "Good Doctor Abbot" was warned that he had "dipp'd too deep in what all King's reserve among the *Arcana Imperii*," and advised in future to "meddle no more" with such "Edge-Tools." The King's disapproval kept the canons from becoming operative, and delayed their publication till after the Revolution of 1689.<sup>3</sup> The importance of this part of James's theory can hardly be overestimated, for the whole of his doctrine

<sup>1</sup> *Concerning the Right of Succession to the kingdom of England*, p. 386.

<sup>2</sup> Second edition, Edinburgh, 1688. MacKenzie's political ideas are set forth in his *Jus Regium*, London, 1684. The second part of this book has the title: *That the Lawful Successor cannot be Debar'd from Succeeding to the Crown*. Its motto is taken from James I's advice to Prince Henry, "Defraud never the nearest by Right."

<sup>3</sup> *Bishop Overall's Convocation Book* was first published under the imprimatur of Archbishop Sancroft in 1690. James's letter to Abbot is printed in Welwood's *Memoirs*, p. 257. In it the King says his reason for calling Convocation was to obtain their judgment as to how far "a Christian and a Protestant King" might go in assisting the Dutch to oppose the tyranny of their sovereign the king of Spain. It was a hard task to reconcile any such assistance with James's ideas of hereditary right, and Convocation failed most signally. James's sensitiveness on this point of his title seems to have been heightened by the recent publication of a pamphlet against hereditary right, as appears from his reference in his letter to "Hales his Pamphlet." This pamphlet was probably a publication of *A Declaration of the Succession of the Crowne Imperiall of England*, made by J. [John] Hales, 1563. This interesting paper is printed in George Harbin's *The Hereditary Right of the Crown of England Asserted*, London, 1713, Appendix, no. vii.

concerning the powers and duties of kings is directly deducible from it. For him the King's right to his crown is heritable precisely as was the right of the eldest son of a tenant of a *feodum militare* under feudal law. And it was more. It was a right inalienable and infeasible. James's whole political theory appears full-blown in his *The Trew Law of Free Monarchies*, written in 1598, five years before he succeeded to the throne of England, not only the first but the most comprehensive of all his political writings. The stubbornness, with which, throughout all the vicissitudes of his later struggles with the English Parliament, James held to all points of the doctrine there laid down indeed explains much. James's inability to learn or unlearn anything is displayed in a startling way by a comparison of this book with the history of his rule in England. This and other early expressions of his political views have not been sufficiently emphasized in accounting for the events of his reign and after it. From the opinions there stated no new situations or conditions could ever shake him, and this must be considered one of the fundamental causes of the constitutional revolution of the next three quarters of a century. Of these opinions the doctrine of legitimism was among the most important. Allegiance, he says, is due not only to the reigning king, but also to his "lawfull heires and posterity, the lineall succession of crowns being begun among the people of God, and happily continued in diuers christian common-wealths . . . For, as hee is their heritable ouer-lord, and so by birth, not by any right in the coronation, commeth to his crowne, it is a like vnlawful (the crowne euer standing full) to displace him that succeedeth thereto, as to eiect the former: For at the very moment of the expiring of the king reigning, the nearest and lawful heire entreth in his place: And so to refuse him, or intrude another, is not to holde out vncoming in, but to expell and put out their righteous King."<sup>1</sup> "But if God giue you not succession," he warns his son, "defraud neuer the nearest by right, whatsoever conceit yee haue of the person: For Kingdomes are euer at Gods disposition, and in that case we are but liue-rentars, lying no more in the Kings, nor peoples hands to dispossesse the righteous heire."<sup>2</sup>

In the speech from the throne opening his first English Parliament, James insisted upon the same point,<sup>3</sup> and could have found little to quarrel with in Parliament's answer, "That immediately upon the Dissolution and Decease of Elizabeth late Queen of England, the Imperial Crown of the Realm of England, and of all the Kingdoms, Dominions and Rights belonging to the same, did by inherent Birthright, and lawful and undoubted Succession, descend and come to your most excellent Majesty, as being lineally, justly and lawfully, next and sole Heir of the Blood Royal of this Realm."<sup>4</sup>

<sup>1</sup> *The Trew Law of Free Monarchies*, Works, p. 209, post, p. 69. See also *Ibid.*, Works, p. 203, post, p. 64.

<sup>2</sup> *Basilikon Doron* (1598), Works, p. 173, post, p. 37.

<sup>3</sup> Works, p. 485, post, p. 269.

<sup>4</sup> I Jac. I, c. 1.



James, of course, was not unaware that his right though divine and heritable, could be traced to a historical beginning. How was he then to distinguish between his ancestors' acquisition of the Crown from which all his own rights flowed, and the mere *de facto* sovereignty of any usurper? Here the analogy of private property again proved useful. Conquest is to be distinguished from usurpation; the conqueror is in much the same position as one who acquires title by *occupatio*; and quod . . . nullius est, id ratione naturali occupanti conceditur.<sup>1</sup> But Scotland, and England as well, was conquered by James's ancestors. Thus their right to the realm is nothing less than an absolute ownership, and neither the people nor anyone else can have any rights in what is solely theirs; neither can the people by laws of their own making interfere with the owners' enjoyment of what is theirs alone.

"The Kings therefore in *Scotland* were before any estates or ranks of men within the same, before any Parliaments were holden, or lawes made: and by them was the land distributed (which at the first was whole theirs) states erected and decerned, and formes of gouvernement devised and established. And so it followes of necessitie, that the kings were the authors and makers of the Lawes, and not the Lawes of the kings."<sup>2</sup>

"Lawes," of course there were, and even lawes "fundamental." But these James is at pains to explain are "onely those Lawes whereby confusion is auoyded, and their King's descent mainteined, and the heritage of the succession and Monarchie."<sup>3</sup> The fundamental law is *jus Regis* and nothing more.<sup>4</sup> Even this is "but craued" by the King's subjects, "and onely made by him at their rogation and with their aduice."<sup>5</sup>

This identification of fundamental law with the *Jus Coronae* was not new in England. In the fourteenth century Edward III and Richard II had attempted to evade troublesome acts of Parliament on the ground that they violated the fundamental law, the *Jus Coronae* to which they had sworn at their coronation and, therefore, could not part with even if they would. Such a complete identification of the *Jus Coronae* with the law fundamental never prevailed, however; and the *Jus Regni*, as well as the law of the Crown, was always regarded as law fundamental in England, as James himself was at times forced to admit, though he never consented to be brought within it.

With the unfettered ownership of the realm solely in the King, James's next logical step was one made easy and even inevitable by the assumption of the feudal confusion of *dominium* and *imperium*. "And as ye see it is manifest that the King is ouer-Lord of the whole land: so is he Master ouer euery person that inhabiteth the same, hauing power ouer the life and death of euery one of them."<sup>6</sup>

<sup>1</sup> D. 41, 1. 3. pr.

<sup>2</sup> *Trew Law, Works*, p. 201, *post*, p. 62.

<sup>3</sup> Speech in Parliament in 1607, *Works*, p. 520, *post*, p. 300.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Trew Law, Works*, p. 202, *post*, p. 62.

<sup>6</sup> *Ibid.*, p. 203, *post*, p. 63.

Thus Kings exercising "a manner or resemblance of Diuine power vpon earth," may, like God, "make and vnmake their subiects: they haue power of raising, and casting downe: of life, and of death. . . . They haue power to exalt low things, and abase high things, and make of their subiects like men at the Chesse: a pawne to take a Bishop or a Knight, and to cry vp, or downe any of their subiects, as they do their money. . . . For to Emperors, or Kings that are Monarches, their Subiects bodies & goods are due for their defence and maintenance. . . . Now a Father may dispose of his Inheritance to his children, at his pleasure: yea, euen disinherite the eldest vpon iust occasions, and preferre the youngest, according to his liking; make them beggars, or rich at his pleasure; restraine, or banish out of his presence, as hee findes them giue cause of offence, or restore them in fauour againe with the penitent sinner: So may the King deale with his Subiects."<sup>1</sup>

Such a theory as this leaves no place for the law of the land or the authority of the estates of the Realm when they conflict with the king's will. Prerogative had been high enough before, but it was acknowledged to have limits. Welwood says of Elizabeth: "As she was far from invading the *Liberties of her Subjects*, so she was careful to maintain and preserve her own *just Prerogative*. . . . The whole Conduct of her Life plac'd her beyond the Suspicion of ever having sought *Greatness* for any other end, than to make her People share with her in it." James, on the other hand, "grasp'd at an *Immoderate Power*, but with an ill Grace; and if we believe the Historians of that time, with a design to make his People *little*."<sup>2</sup> This is a serious indictment, but a true one. In James's view the liberty of the subject was only such as he saw fit to allow since it was derived solely from him or his ancestors, while the will of the subject must always bend to his own even though expressed in the most authoritative form of immemorial custom or solemn act of Parliament. It was a necessary deduction from his theory of the kingship and its tenure, and to James dialectic was ever more persuasive than history. Though the King should not take his subjects' lives "without a cleare law; yet the same lawes whereby he taketh them, are made by himselfe, or his predecessours; and so the power flowes alwaies from him selfe." The King himself "is aboue the law, as both the author and giuer of strength thereto." He is in no way bound to obey it "but of his good will, and for good example-giuing to his subiects." It may therefore "vpon knowen respects to the King by his authoritie bee mitigated, and suspended vpon causes onely knowen to him."<sup>3</sup>

Nor has the king, in James's opinion, divested himself of any of this power by consenting to take the coronation oath, a point much relied on by the opponents both lay and ecclesiastical of royal prerogative. Such an oath is taken to God alone; a king by taking it "makes not his Crowne to stoupe by this meanes

<sup>1</sup> Speech in Parliament, 1609-10, *Works*, pp. 529-530, *post*, pp. 307-308.

<sup>2</sup> *Memoirs*, pp. 18-19.

<sup>3</sup> *Trew Law, Works*, p. 203, *post*, p. 63.



to any power in the Pope, or in the Church, or in the people.”<sup>1</sup> The prerogative is *Arcanum Imperii*. It is an act of impiety for any subject, though he be judge or Parliament man, to touch the sacred thing. “Incroach not vpon the Prerogatiue of the Crowne,” James warns the Judges in 1616. “If there fall out a question that concerns my Prerogatiue or mystery of State, deale not with it: . . . for they are transcendent matters.”<sup>2</sup> “It is Atheisme and blasphemie to dispute what God can doe: good Christians content themselves with his will reuealed in his word, so, it is presumption and high contempt in a Subiect, to dispute what a King can doe, or say that a King cannot doe this, or that; but rest in that which is the Kings reuealed will in his Law. . . . That which concerns the mysterie of the Kings power, is not lawfull to be disputed; for that is to wade into the weakenesse of Princes, and to take away the mysticall reuerence, that belongs vnto them that sit in the Throne of God.”<sup>3</sup>

James draws a distinction between his “private Prerogatiue” — “my priuate right, betweene me and a subiect,”<sup>4</sup> under which he professes to ask of the judges no more than would be granted to any of his people; and “the absolute Prerogatiue,” the “mystery of State,” which “is no Subiect for the tongue of a Lawyer, nor is lawfull to be disputed.”<sup>5</sup>

To anyone, with even the slightest knowledge of the constitutional history of this time and the period preceding, it must be obvious how utterly inconsistent such theories as these are with the views of practically all the common lawyers and most of the Parliamentarians of the day. By the attempt to make actual these absolutist doctrines the train was laid for the explosion which came later in the century: in fact, it made that catastrophe almost inevitable.

Opposition to these theories was, of course, aroused at once, among lawyers and others, in Parliament and out, but there is no space here to recount it.<sup>6</sup> This is the real beginning of the constitutional revolution in England, and as that struggle was in all its stages a contest between law and absolute power, its first phase was a quarrel between the common lawyers and royal commissions acting under the prerogative.

Behind the temporary questions debated by these antagonists, however, we may also detect a clash of principles which may be of even greater importance for the history of political thought. For there is some evidence, not often noticed, that in James’s first years a conscious and determined effort was being made, not altogether without the sympathy of the King, to weaken the immemorial custom

<sup>1</sup> *Remonstrance to Cardinal du Perron*, Works, p. 441, post, p. 226. There is an elaborate discussion of this subject in the *Trew Law*, Works, pp. 207–209, post, pp. 68–69. James argues along the customary lines against the view that the King’s violation of his oath can absolve the people from theirs, which would make them judges in their own cause, whereas God alone can judge.

<sup>2</sup> Speech in the Star Chamber, 1616, Works, p. 556, post, p. 332.

<sup>3</sup> *Ibid.*, Works, p. 557, post, p. 333.

<sup>4</sup> *Ibid.*, Works, p. 561, post, p. 337.

<sup>5</sup> *Ibid.*, Works, p. 557, post, p. 333.

<sup>6</sup> Elsewhere I have tried to set it forth in some detail. *The High Court of Parliament* (1910), particularly chs. ii and v.

of the courts of common law by a "reception" more or less complete — more rather than less the lawyers feared — of the principles and procedure of Roman law, already employed in the courts of Scotland and in various jurisdictions in England, particularly the ecclesiastical. The struggle for the prerogative was not a simple one; it can only be understood in combination with the royalist zeal for the absolutist principles of the Roman law.<sup>1</sup>

To the opposition roused by this propaganda James was forced to yield to the extent of suppressing the most hated expression of these Roman and royalist views, Dr. Cowell's law dictionary; and James even plumed himself — hypocritically I must believe — on account of "my censure of that booke."<sup>2</sup> But whatever concessions the King might make against his real convictions for the sake of obtaining a larger grant by Parliament for his desperate needs, an examination discloses no definitions of Dr. Cowell's which went so far as the King's own windy and extravagant preachments to his Parliaments and judges; and nothing indicates that James ever truly departed from these in thought, or — save under extreme pressure — in word or deed.

In James's theory there is no more place for the supremacy or even the independence of the national assembly than for its decrees. The king, for example, is able to do as he pleases with the lands of his subjects "without aduice or authoritie of either Parliament, or any other subalterin iudiciall seate."<sup>3</sup> Parliament, in fact, is "nothing else but the head Court of the king and his vassals," and the king may "make daily statutes and ordinances, enioyning such paines thereto as hee thinkes meet, without any aduice of Parliament or estates." This was spoken particularly of Scotland, but James adds that the like is true of England, and cites the example of William the Conqueror.<sup>3</sup>

In one place he seems to recede somewhat from this extreme, if Salisbury reports him correctly, and to acknowledge "that he had noe power to make lawes of himselfe, or to exact any subsidies *de jure* without the consent of his 3 Estates."<sup>4</sup> But this was while he had hopes of a large supply from Parliament, and his later words are hardly consistent with these. His real views are better expressed in the *Trew Law* and there is little to indicate any sincere or permanent departure from them.

And as of Parliament and its "ordinances," so also of Parliament's ancient privilege. Probably nowhere is the effect of James's theory upon his outward acts more manifest than in his repeated violations of the *Lex Parliamenti*, particularly of the right of freedom of speech. But this is history too well known to need repeating.<sup>5</sup>

<sup>1</sup> As an example of the absolutist views of the Civilians, see Sir George MacKenzie's *Institutions of the Law of Scotland*, lib. i, tit. iii.

<sup>2</sup> Speech in Parliament, 1609 (1610), *Works*, p. 528, *post*, p. 307. See Appendix B, p. lxxxvii.

<sup>3</sup> *Trew Law, Works*, p. 202, *post*, p. 62.

<sup>4</sup> *Parliamentary Debates in 1610* (Camden Soc.), p. 24.

<sup>5</sup> See particularly *Parliamentary History*, I, 1301, *et seq.*, 1326-1371, *passim*; James's speech in Parliament in 1605, *Works*, pp. 506, 507, *post*, pp. 288-289. Speech of 1607, *Works*, p. 521, *post*, p. 301, etc.



That these outward acts are a true reflection of James's settled convictions, many of his utterances show. Parliament, he declares, is not a place "for euery rash and harebrained fellow to propone new Lawes of his owne inuention: nay rather, I could wish these busie heads to remember that Law of the Lacedemonians, That whosoeuer came to propone a new Law to the people, behoooued publikely to present himselfe with a rope about his necke, that in case the Law were not allowed, he should be hanged therewith."<sup>1</sup> "It is no place then for particular men to vtter there their priuate conceipts, nor for satisfaction of their curiosities, and least of all to make shew of their eloquence by tyning the time with long studied and eloquent Orations."<sup>2</sup> The King contrasts the freedom of debate in the English Parliament with the preferable conditions in Scotland, where "they must not speake without the Chauncellors leaue, and if any man doe propound or vtter any seditious or vncomely speeches, he is straight interrupted and silenced by the Chauncellors authoritie: where as here, the libertie for any man to speake what hee list, and as long as he list, was the onely cause he was not interrupted."<sup>3</sup> "And therefore," he advises his son, "hold no Parliaments, but for necessitie of new Lawes, which would be but seldome: for few Lawes and well put in execution, are best in a well ruled common-weale."<sup>4</sup> Though we may agree with the latter part of this advice, any student of English history knows what calamities were brought upon the house of Stuart by the too faithful observance of the first.

Not alone the High Court of Parliament, but the lower courts as well, James means to keep under his constant supervision and control. "Delite to haunt your Session, and spie carefully their proceedings," he urges Prince Henry. "Let it be your owne craft, to take a sharpe account of euery man in his office."<sup>5</sup> And he warns his judges in 1616, in words that Bacon has made famous, that their office is *jus dicere* not *jus dare*.<sup>6</sup> James had thus as early as 1599 outlined a policy which when put in practice later in England by himself and Charles contributed so much to the revolt of the nation against his family.

In all these theories of the King with respect to the relations of the governor and the governed there are many traces of feudalism, particularly in his doctrine of hereditary right; but there is one feature of the feudal relation that is conspicuous by its absence in James's politics. Of the reciprocal duties of *dominus* and *homo* so prominent in the mediaeval conception of English kingship there remains not a trace: it has been replaced entirely by the Roman conception of a king *legibus solutus*, placed at a distance so immeasurably above his *subditi* that he can in no way be bound by earthly law to the performance of any duties to them. The relation of his subjects to him, on the other hand, must consist *entirely* of

<sup>1</sup> Speech of 1605, *Works*, p. 506, *post*, p. 288.

<sup>2</sup> *Ibid.*, *Works*, p. 507, *post*, p. 288.

<sup>3</sup> Speech of 1607, *Works*, p. 521, *post*, p. 301.

<sup>4</sup> *Basilikon Doron*, *Works*, p. 156, *post*, p. 20.

<sup>5</sup> *Ibid.*, *Works*, p. 176, *post*, p. 39.

<sup>6</sup> *Works*, p. 555, *post*, p. 332.

duties, and duties to which no limits can be put; of the "rights of subjects" it is idle, even impious to speak. There are none. It is for the subject "not to ask the reason why." For him the single aspect of his relation to his lawful sovereign is absolute, unquestioning, passive obedience no matter how tyrannous or oppressive the acts of that sovereign may actually become. An evil king is indeed a scourge, but none the less a scourge sent by God. He is no less God's instrument because of his tyranny, and the only remedy for such oppression is in prayers to God that the scourge may be taken away. Against even such a king if his title is lawful no direct remedy can be applied. To James's mind the entrusting of the royal power to the hands of his ancestors was proved by Scripture to be an irrevocable act,<sup>1</sup> and the corresponding duty of non-resistance in his subjects was equally supported by the same high authority.<sup>2</sup> Their obedience, therefore, ought to be rendered to him "as to Gods Lieutenant in earth, obeying his commands in all things, except directly against God, as the commands of Gods Minister, acknowledging him a Iudge set by God, ouer them, hauing power to iudge them, but to be iudged onely by God, whom to onely hee must giue count of his iudgement: fearing him as their Iudge, louing him as their father; praying for him as their protectour; for his continuance, if he be good; for his amendement, if he be wicked; following and obeying his lawfull commaunds, eschewing and flying his fury in his unlawfull, without resistance, but by sobbes and teares to God, according to that sentence vsed in the primitiue church in the time of the persecution. *Preces, & Lachrymae sunt arma Ecclesiae.*"<sup>3</sup>

The King then turns from Scripture to analogy. If it is absurd that burghers should turn out their provost before his term is over, or pupils their master, "although but subaltern," "how much lesse is it lawfull vpon any pretext to controll or displace the great Prouost, and great Schoole-master of the whole land."<sup>4</sup> From the city and the school he passes to the family, and asks, "Yea, suppose the father were furiously following his sonnes with a drawen sword, is it lawfull for them to turne and strike againe, or make any resistance but by flight?"<sup>5</sup> The answer is furnished even by the lower animals, where the parents "with violence and many bloody strokes will beat and banish their yong ones from them," yet the young will never offer any violence in return, except among the vipers. So subjects who answer with violence the "bloody strokes" of their king do but prove themselves "to be endued with their viperous nature."<sup>6</sup> "I grant indeed," he says, "that a wicked king is sent by God for a curse to his people, and a plague for their sinnes; but that it is lawfull to them to shake off that curse at their owne hand, which God hath laid on them, that I deny."<sup>7</sup> "Patience, earnest prayers to God, and amendment of their liues, are the onely lawful meanes to moue God to relieue them of that heauie curse."<sup>8</sup>

<sup>1</sup> *Trew Law, Works*, p. 198, *post*, p. 58.

<sup>2</sup> *Ibid.*, *Works*, pp. 199, 200, *post*, pp. 59, 60.

<sup>3</sup> *Trew Law, Works*, pp. 200-201, *post*, p. 61.

<sup>4</sup> *Ibid.*, *Works*, p. 204, *post*, p. 64.

<sup>5</sup> *Ibid.*, *Works*, p. 205, *post*, p. 65.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*, *Works*, p. 206, *post*, p. 67.

<sup>8</sup> *Ibid.*, *Works*, p. 207, *post*, p. 67.



Any doubt as to whether these doctrines of the King were shared by the upholders of prerogative among his subjects will be set at rest by a reading of the canons adopted by Convocation or the books of Craig, Blackwood, or Barclay.<sup>1</sup> Sir Robert Filmer's later theories, though more influential and possibly more systematically set forth, had nothing really original in them.

In holding such high claims for his royal office, James, of course, was not ignorant that he differed from his former tutor, from many of his subjects, and from others of the most famous thinkers and writers on the relation of princes and their subjects. It is evident that his reading of such authors was extensive. That reading, however, had never inspired him with any other feeling than one of mingled contempt and fear, but rather had increased his determination to suppress such "seditious" utterances whenever they were found, and to punish with all the authority at his command any who dared to question his own view of these "mysteries of princes." He admonishes his son to "represe the insolence of such, as vnder pretence to taxe a vice in the person, seeke craftily to staine the race, and to steale the affection of the people from their posteritie."<sup>2</sup> Even the possession of "infamous libels" such as those of Knox and Buchanan is to be severely punished.<sup>3</sup> He warns his Justices of Assize to be on their guard against "Gentlemen of great worth in their owne conceit," who "cannot be content with the present forme of gouvernement, but must haue a kind of libertie in the people, and must be gracious Lords, and Redeemers of their libertie; and in euery cause that concernes Prerogatiue, giue a snatch against a Monarchie through their Puritanicall itching after Popularitie." "Some of them," he significantly adds, "haue shewed themselves too bold of late in the lower house of Parliament."<sup>4</sup> James is among the first, if not the first, to apply to such men the name of *Levellers*.<sup>5</sup>

From such extensive claims as these, and so extravagantly expressed, it would be wrong to infer that the royalist theory imposed no duties upon its king though *legibus solutus*. Obligations he had, and all the heavier on account of his eminence, but they were obligations to God alone. In fairness to James himself, it must be said that in theory if not always in practice, he emphasized these duties only less than his powers. He never denied them. A good king will act as "knowing himselfe to be ordained for them [his people], and they not for him;"<sup>6</sup> and though a wicked king may be judged by God alone, his judgment will be the heavier, for "the highest bench is sliddriest to sit vpon."<sup>7</sup> "A Tyrannes miserable and infamous life," he warns his eldest son, "armeth in end his owne

<sup>1</sup> For example, *Overall's Convocation Book*, book i. Canons 2, 8, 13, 17, 29, 35, etc. Craig, *op. cit.*, pp. 185, 193, and ch. xv.

<sup>2</sup> *Basilikon Doron*, Works, p. 158, *post*, p. 21.

<sup>3</sup> *Ibid.*, Works, p. 176, *post*, p. 40.

<sup>4</sup> Speech of 1616, Works, p. 564, *post*, p. 340.

<sup>5</sup> *Ibid.*, Works, p. 568, *post*, p. 344.

<sup>6</sup> *Trew Law*, Works, p. 195, *post*, p. 55.

<sup>7</sup> *Ibid.*, Works, p. 209, *post*, p. 70.

Subjects to become his bureaux<sup>1</sup> and although that rebellion be euer vnlawfull on their part, yet is the world so wearied of him, that his fall is little meaned by the rest of his Subjects, and but smiled at by his neighbours."<sup>2</sup> The reed placed in Christ's hand by the Jews when they derisively crowned him as their King, James tells his son Charles, should "put him in minde to manage his authoritie boldly, and yet temperately, not stretching his royall Prerogatiue but where necessitie shall require it";<sup>3</sup> and he adds an aphorism to which among the kings of his day he himself was on the whole unusually faithful; "A King should neuer punish but with a weeping eye."<sup>4</sup> A precept not so well observed was his advice to Prince Henry not to enrich himself at his subjects' expense and to exact subsidies "as rarely as ye can."<sup>5</sup>

Among the duties which God required of a Christian king the protection and advancement of the interests of the true faith was one of the chief. As James said, "That it is one of the principall parts of that duetie which appertaines vnto a Christian King, to protect the trew Church within his owne Dominions, and extirpate heresies is a Maxime without all controuersie."<sup>6</sup> James as successor of Elizabeth was "the only supreme governor" of the realm "in all spiritual or ecclesiastical things or causes," and all ecclesiastics and state officials had to acknowledge this by oath; but ecclesiastics, for a single refusal of the oath, provided they went no further, could be punished only by the loss of ecclesiastical office and emoluments. But Catholics, and many nonconformists also, had, of course, lost all these long before James's accession. This fact and the limitations put upon the royal power in ecclesiastical matters during Elizabeth's later years made the King's relation to Catholics and nonconformists somewhat different from that of Elizabeth in the first year of her reign, when Catholics still filled so many of the benefices and bishoprics.

In Elizabeth's reign also, as we have seen, the doctrine of the two kingdoms had come to be accepted more or less fully by all opponents of the king as supreme governor, and had been tacitly recognized even by royal ministers in the administration of the laws.

These were changes which account for a large part of James's ecclesiastical policy. But there was one title to which James succeeded which had undergone less modification, the title first conferred by the Pope upon Henry VIII for his book against Luther, *Defender of the Faith*. Though the papal gift had been withdrawn, and notwithstanding the fact that it was not entirely certain just

<sup>1</sup> Probably in the same sense as the Anglo-Saxon *borh*, i.e., he will be put under pledge for good conduct. For the law-burrow in Scots law, from which James got this expression, see, e.g., Lord Stair's *Institutions of the Law of Scotland* (second ed., Edinburgh, 1693), lib. 4, tit. 48; or Sir John Skene's *De Verborum Significatione*, s.v. *law-burrow*. James can hardly have meant the French *bourreau*, executioner.

<sup>2</sup> *Basilikon Doron*, Works, p. 156, *post*, p. 19.

<sup>3</sup> *A Paterne for a King's Inauguration*, Works, p. 621. See also *Ibid.*, pp. 620-621.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Basilikon Doron*, Works, p. 178, *post*, p. 42.

<sup>6</sup> *A Declaration against Vorstius*, Works, p. 349.



what faith would be defended, as Maitland aptly remarks;<sup>1</sup> Elizabeth had assumed the title and it passed to James in 1603. But Elizabeth's long reign had at least done one thing. It had practically determined what that faith was of which James now declared himself the defender. The Canons, the Thirty-nine Articles, the Prayer Book, The Act of Uniformity, and the Council of Trent had produced their effect. In Elizabeth's first years, the *Ecclesia Anglicana* in so far as it differed from that of Rome was Protestant; that is about all that can be said of it. And Protestant was a term implying primarily only protest and negation, a meaning entirely accurate just after the Reformation and nowhere more properly applicable than in England. By James's time however, this is all changed. Though the diversity of sects may have deprived the general term Protestantism of much positive content, Parliament and Convocation had now supplied the defect for England at least, and the definiteness of the break with Rome made evident by the decrees of the Council of Trent had done the rest. In 1603 England had what she certainly had not in 1558 or 1559 — a national, or at least a state faith as well as a state church, to which it is entirely proper to apply the term Anglo-Catholicism. It is true many things might not have been determined with entire definiteness. Its creed might be susceptible of interpretations differing as widely as those of Bishop Burnet and *Tract Ninety*, and its episcopal polity might be of divine ordination, or only "for order sake;"<sup>2</sup> but there is certainly at last in existence a faith to defend; a faith defined by Parliament, even though negatively, as based on Scripture and the first four general councils, and explained, though with some vagueness, by the same authority and by Convocation in the *Articles of Religion*.

It is, of course, not impossible that James might have disregarded this. His theory certainly was that *his* faith was the one to be defended, and all his predecessors since Henry VII had acted on the German principle of *cujus regio ejus religio*, a principle that was by no means dead yet in England. The Revolution of 1688 still had to be fought partly to disprove the reassertion of it by James's grandson, and its death warrant was not signed till 1701 in the Act of Settlement. In 1603 it might indeed be fairly said that the question was not entirely closed: it was simply not raised; because of the fact that James's own private convictions were in all essential points — at least in all points likely at that time to lead to controversy — at one with those of the supporters of Anglo-Catholicism, and hence James's reign is marked by a closer alliance of King and higher clergy than can be found at almost any other time. In fact the fruits of the theory of the "supreme governor" did not fully ripen until England had a governor whose own faith was different from that of his people and his clergy. When this occurred we see the familiar linking of religious and political questions. For the Revolution of 1688 was as much religious as secular, nay it was more. Religion,

<sup>1</sup> *Elizabethan Gleanings, Collected Papers*, iii, 158.

<sup>2</sup> James, in his *Monitory Preface, Works*, p. 306, *post*, pp. 126-127.

though to a less extent than in the sixteenth century, was still "the motive power of the age." It is not surprising that the opponents of prerogative should then republish as their own the republican doctrines of Parsons, the Jesuit, first uttered under Elizabeth,<sup>1</sup> at the same time that they were holding up to popular detestation another book of the same author, his *Jesuits' Memorial*. "Jesuit," in fact, then became one of the favorite taunts hurled by the followers of a Catholic prince at the very party which existed only to exclude that prince, and to exclude him merely on account of his Catholicism. "Puritanism and Popularitie" were charged in the same breath against these opponents of prerogative, precisely as had been done a century earlier, and for the same reason — a reason only to be understood in the light of the long history of the doctrine of the two Kingdoms and of the temporal power *ad finem spirituale*m. Truly Tunstall's warning was hardly misplaced: the supreme headship was indeed a *propositio multiplex*. But such quarrels as came later and earlier were spared in James's time because he and his bishops agreed. It was the Anglo-Catholicism of Whitgift and Andrewes that he was called upon to defend and he was nothing loth. In an age not of pragmatism but of *jus divinum* this meant that this faith could be defended only because it was true while all material departures from it must therefore be false, and that being true it could not but be a living branch of the one true Catholic and Apostolic faith. But the age was one of uniformity as well as legalism, and this assertion of the faith true and Apostolic carried with it inevitably also the condemnation and the suppression of every other faith as necessarily false and heretical.<sup>2</sup> It is this general theory that explains James's laborious attempts to prove that he himself is no heretic.<sup>3</sup> In an age of uniformity instead of toleration an admission of the contrary must be fatal. He has to disavow any

<sup>1</sup> *A Conference about the Next Succession to the Crown of England*, published in 1594, second ed., 1681.

<sup>2</sup> The personal views of James on the question of heresy were exactly those of his time, and are to be found in many places in his works. As early as 1599 he cautions his son Henry against marrying anyone who is not of his own religion, advice which the prince seems to have taken to heart, but rather hard to reconcile with the father's own desperate efforts to secure the Spanish match for his other son. The most explicit statements of James's hatred of heresy are contained in his *Declaration against Vorstius*, for which there was not space in this volume. Vorstius, whose offence was nothing worse than the Arminianism which was accepted later by so many of James's own clergy, is referred to in this bitter attack as "a wretched Heretique or rather Atheist" (*Works*, p. 349), "monster" (350, 357) "viper," (351) "wretched and wicked atheist," (363) and the like, while Arminius himself he calls "that enemie of God" (355). These and their kind the King attacks as "pestilent Heretiques . . . who dare to take upon them that licentious libertie, to fetch againe from Hell the ancient Heresies long since condemned, or else to inuent new of their owne braine, contrary to the beliefe of the trew Catholike Church." (356) His views of the danger of heresy are in no respect different from those of the *Holy Office*. "It is furthermore to bee noted, that the spirituall infection of *Heresie*, is so much more dangerous, then the bodily infection of the plague; by how much the soule is more noble then the body." (366) Such doctrines are less dangerous in a commonwealth among a thousand laymen than in "one Doctour that may poison the youth." (*Ibid.*) "For Christian libertie is neuer meant in the holy Scripture, but onely in matters indifferent." (371) The King's practical attitude toward heresy is indicated in his reference to the book of Vorstius, *De Filiatione Christi* ("for which Title onely, an Authour, so suspected as he, is worthy of the fagot.") (378).

<sup>3</sup> See for example *A Remonstrance for the Right of Kings*, *Works*, pp. 470-473, *post*, pp. 253-257.



sympathy with admitted heretics such as Anabaptists or members of the Family of Love. Though he may have done it "with a weeping eye," and though he certainly did do it with evident hesitation, James has the unenviable distinction of being the last English king to order the issue of the writ *De Haeretico Comburendo*.<sup>1</sup> The King was also forced by the theory of his day to go at wearisome length into the practice and doctrine of the early Church to prove that the *Ecclesia Anglicana* had never essentially departed from these; and it was sometimes a nice task to draw the lines just wide enough to include the faith of the bishops — and the Presbyterians, while shutting out Brownists, and other varieties of sectaries. There are also many other long and tiresome pages of James's political writings to be explained only by the opinions summarized above. James to defend his faith had not only to prove it true: he had also to show the falsity of doctrines not in agreement with it. Thus in his arguments against the Roman Church and its doctrines he follows the lead of the Elizabethan divines in attempting to prove the Pope to be Antichrist.<sup>2</sup> Our utter aversion to this kind of argumentation should not blind us to its great importance in moulding the thought of the sixteenth and seventeenth centuries. It is important because they thought it important. In the application of these theories the great difficulty lay in dealing with the two opposite parties of Catholics and Puritans. Of the Puritans we need say little more because most of the political phases of their activity have appeared already. Strict uniformity, of course, meant their persecution along with all others who disobeyed the laws.<sup>3</sup> With the Catholics, the case was far different. Though the Puritans were in a few years to be a power as menacing to royal authority as ever Pope was, and though James personally hated them more than he did any Catholic, yet in his reign it was the Catholic danger that was in the foreground. The Counter Reformation was gaining volume year by year, and Catholics had what Puritans never had, a centralized organization and a human head, one whose authority was international and temporal and whose claims no "supreme governor" could ever allow. This danger was at once foreign and domestic. At the very beginning of his reign, therefore, and even before it began, James was confronted with the most difficult of all his problems, and apparently the most dangerous. Was a reconciliation with Rome still possible, and on what terms? If not, how were Roman Catholics to be treated in England? Was Catholicism to be granted a real toleration? If so a change in the laws was necessary. Or, was the policy to be continued under which Catholics could only enjoy the exercise of their religion as "tolerated vice," through the tacit unenforcement of existing laws? Or, finally,

<sup>1</sup> The victims were Bartholomew Legate and Edward Wightman. The former's offence was the denial of the divinity of Christ. James made earnest efforts in person to induce him to recant, but when they failed, the King, as Fuller tells us "spurn'd at him with His foot; *Away base Fellow (saith He) it shall never be said, that one stayeth in My presence, that hath never prayed to our Saviour for seven years together.*" Fuller gives us our most extended account of the whole matter. *Church History* (1655), book x, pp. 62-64. See also *State Trials*, ii, 727, *et seq.*; *D. N. B.*

<sup>2</sup> See the elaborate argument on this subject which he sets forth in his *Monitory Preface, Works*, pp. 308-328, *post*, pp. 129-150.

<sup>3</sup> See Appendix C, p. xc.

should Catholicism be totally extirpated as heresy always deserved? These were the question that James had to answer in 1603. Their difficulty must have appalled any man less cocksure than James Stuart.

Probably three-fourths of the systematic political writing of James I consist of a defense of the one administrative measure of his which really went beyond the methods and purposes of Elizabeth's ministers in dealing with this Catholic problem, the Oath of Allegiance. And this is a not inaccurate index of the importance of the principle of the measure in the eyes of contemporaries not only in England but in the whole of western Europe. It was in reality England's answer to the Jesuit challenge contained in Bellarmine's theory of the Pope's indirect power, but an answer which tacitly accepted one-half of Bellarmine's theory, the separation of the spiritual from the secular. It looked to a partial translation into law of what Elizabeth's ministers had practiced by holding the law in abeyance. It must therefore be considered a considerable advance in principle, and one of the really important landmarks in the history of the idea of religious toleration. To understand its real importance as an attempted solution of this chronic problem we must keep in mind the particular phases of that problem which were uppermost in the first years of the seventeenth century. Most important among these is the new aspect of the papal claims, the result of Bellarmine's theory of the indirect power. True, this doctrine was not accepted by the Catholic left, which was opposed entirely to the temporal power;<sup>1</sup> nor by the extreme right, which still held to all the high claims of Boniface VIII.<sup>2</sup> But the new doctrine had been adopted by practically all the Jesuits and by many others, and the Jesuits were the undoubted leaders of Catholic thought and action during the Counter-Reformation.<sup>3</sup> In England the whole programme of the aggressive party was based upon this theory, and the Archpriest Blackwell under examination by the High Commission admitted that the majority of Catholics probably accepted it.<sup>4</sup> Of this doctrine it was a cardinal point that no heretical king must be permitted to reign, that it was the right and even the duty of the Supreme Pontiff to depose him, and that this right could and should be made effectual by the absolving of the king's subjects from their oath of allegiance and by the summoning of the Catholic princes of Europe to help in carrying out the sentence by means of foreign invasion.<sup>5</sup> We must remember that this "right"

<sup>1</sup> E.g., William and John Barclay, and the French *Politiques*.

<sup>2</sup> Among others Baronius, the brothers Bozii, and Carerius. Jacobus Gretserus, one of the most learned and influential of Bellarmine's defenders, admits that some *ex castris nostris* refuse to accept Bellarmine's doctrine. *Defensio Operum Bellarmini, Opera Omnia*, ix, 604. Carerius even includes Bellarmine among heretics on account of this doctrine. Alex. Carerius, *De Potestate Romani Pontificis, adversus impios politicos, & nostri temporis hereticos*. There is a list of some of these writers and their books in the reprint of Andrewes's *Tortura Torti* in the *Library of Anglo-Catholic Theology*, p. 36 (note by the editor).

<sup>3</sup> E.g., Cardinal Bellarmine himself, Gretser at Ingolstadt, Martin Becan at Maintz, Suarez in Spain, and many others.

<sup>4</sup> *A Large Examination*.

<sup>5</sup> See the summary of the theory; *ante*, pp. xxii-xxiii, xxvi-xxvii.



of the Pope had not been allowed to remain a mere theory, but had been asserted in 1570 in the bull deposing Elizabeth and followed up by the Armada, the revolt in Ireland, and armed insurrection in England itself, to say nothing of the many smaller plots against the life of the Queen. We must remember the alarming advance that the Counter-Reformation had made and was making in the beginning of the seventeenth century, with all south Germany recovered, with the hopes of the French Huguenots dashed by the wars of religion, and with no indication that the tide would stop anywhere, even at the Channel. In addition to the attempts on the life of Elizabeth, we must not forget the similar attempt of Jean Châtel in France, or the Bye-Plot in England itself, ineffective though it was, or further back, Saint Batholomew's day, or the murder of Henry III of France and of William the Silent. In France Henry IV had "received instruction," an ominous thing in itself but not enough to save him, and for England the sharpest awakening came with the powder plot in 1605. Among the influences upon opinion, particularly Catholic opinion, we must also include the harsh legislation to which the fear of aggression and assassination spurred the English Parliament. These laws against recusants, seminarists and *convertisseurs* and the victims of them cannot be ignored by anyone who tries to understand the political theory of the reign of James I.

In Elizabeth's reign Spain had been the chief foreign instrument in the attempt to carry out the Pope's sentence. And Spain's intrigues did not stop with the defeat of the Armada in 1588. They continued throughout Elizabeth's life, but as she grew older her enemies became more content to let nature take her course, and turned their attention to the next succession. Among these enemies, if we confine ourselves to Englishmen, there is no doubt that the most active, the ablest, and the most influential, was Robert Parsons, "Jésuite, Anglois de nation, & Espagnol de dévotion."<sup>1</sup> This remarkable man had written, or was to write, on practically every phase of the great controversy. And whatever he wrote, whether in English or Latin, was written remarkably well. He was master of a clear, direct and forcible English style which stands comparison with the best of his time, the time of the Authorized version of the Bible. Among his many books, the most important for the history of political theory is his *Conference about the Next Succession to the Crown of England* published in 1594. Though written nine years before Elizabeth's death this book really belongs to the reign of James, for its purpose was: in the first place, by discrediting the principle of legitimism, to emphasize the popular basis of the tenure of the Crown; in the second, to show that on all precedents the "rights" put forward in the interests of all the existing claimants, with one exception, were without foundation in law or fact; and lastly — the real purpose of the book — to prove that the one exception, the one rightful claim to the throne of England at Elizabeth's death was that of the Spanish Infanta, daughter of Philip II, a princess whose faith was unimpeachable.

<sup>1</sup> Cardinal d' Ossat (*Lettres*, v, 61).

The book was a double blow at James, against whom it was mainly aimed; it denied his favorite principle of legitimism, and it attempted to disprove his own particular claim. James was right in regarding it as the most dangerous book of the time. The first part of the book, which deals with the abstract question of hereditary right and the basis of royal tenure has an even greater importance for political thought. It is hardly too much to say that this book was the chief storehouse of facts and arguments drawn upon by nearly all opponents of the royal claims for a century, Protestant as well as Catholic; and its importance is attested not only by the many attacks made upon it down to the Revolution of 1688 and after, but by the frequent surreptitious use of it in this period by men and parties who did not dare to disclose the source of their arguments and illustrations.<sup>1</sup> The Spanish party of which Parsons was the most able and active member did not confine itself entirely to writings. It strove in every way, among others by the founding of new seminaries in Spain for English Catholics and by secret negotiations with the Spanish King, to prepare the way for an attempt that should promise greater success than the Armada. In general the results were disappointing, and one result in particular even threatened the total overthrow of their schemes. This was the division among Catholics themselves which grew, partly out of the old quarrel between the regular and the secular clergy and partly from the aversion of the seculars to the designs of the "Hispanized faction," who, they believed, were the real cause of the harsh laws against Catholics in general.

We have seen how Bancroft labored to widen this gap under Elizabeth. As Primate under a king who conceded far more power to his clergy than his predecessor had ever done, Bancroft was free to pursue still further this policy.

It was the conditions set forth briefly above, combined with the favorite policy of Bancroft, the ready acquiescence of the King, and the even more ready zeal of the Parliament, that led to the enactment of the most important legislation of James's reign dealing with the religious question, the statute which framed and imposed the new oath of allegiance. This act<sup>2</sup> empowered any bishop or any two justices of the peace to tender to anyone under sentence or indictment of recusancy, or to any stranger confessing the same under oath — if over eighteen and not noble — an oath acknowledging James as "lawful and rightful" King, denying the authority of the Pope to depose him, promising to defend him in case of attack and to disclose all treasons or conspiracies against him; also disavowing the doctrine that a prince excommunicated or deprived by the Pope, might be deposed or murdered and in the following terms: "and I do further swear that I do from my heart abhor, detest and abjure, as impious and heretical, this damnable doctrine and position, that princes which be excommunicated or deprived by the Pope may be deposed or murdered by their subjects or any other whatsoever." Four years later the oath was extended to all non-noble

<sup>1</sup> See Appendix D, p. xcii.

<sup>2</sup> 3 & 4 Jac. I, cap. iv.



persons whatsoever, if of eighteen and above, while the procedure was simplified and the penalty increased.<sup>1</sup> A refusal to take the oath under the act of 1606 involved the penalty of a praemunire. These important acts included laymen as well as ecclesiastics, private persons as well as office holders. In this respect they go much further than Elizabeth's Act of Supremacy which included only ecclesiastics or holders of office.

But while in respect of the persons affected James's legislation is more inclusive than Elizabeth's, in the extent of the engagement of these persons it is far less. The older oath of supremacy — which, it must not be forgotten, was still in existence — exacted an acceptance of the Queen as supreme governor and a denial of all authority of any outside person or state in matters "ecclesiastical or spiritual within this realm." The oath of 1606 required the acknowledgment of James only as "lawful and rightful King" and the abjuration merely of the doctrine of the deposing and absolving power, but the theory that this deposition could be made effectual by the people must be condemned by the swearer as impious, heretical, and damnable, and the penalty is a heavy one.

These are differences not merely of detail. The Act of 1559 made it impossible for any Catholic to hold high secular office, or any ecclesiastical one, for no Catholic, however radical, could deny the Pope's authority in England in matters ecclesiastical or spiritual. The act of 1606 does not ostensibly touch the Pope's spiritual authority at all. To that extent it seems to have recognized the division between the secular and the spiritual jurisdiction, the doctrine of the two kingdoms. What it really does do is to deny emphatically that the Pope can ever override this division by exercising the secular power of deposition under pretext of a spiritual end. Had the act done this and nothing more than this, in straightforward and unequivocal terms it seems probable that it would have been enough to drive a wedge between those Catholics who held and those who rejected

<sup>1</sup> 7 & 8 Jac. I, cap. vi. It must be kept in mind that the taking of the oath freed no one from the penalty imposed by any other law. It was, as its Jesuit opponents complained, an *additional* burden, not an alternative one, so far as the law was concerned, and it, together with the other statutes of the same year added considerably to the already heavy weight of the penal laws against Catholics. But the statute book alone cannot be relied upon at that time. It would probably have been impossible to prevent Parliament from enacting some very harsh legislation after the powder plot. Since they had control of the administration of this law, James and Bancroft were glad rather than sorry to see it so severe. The more drastic it was the more persuasive to weak or wavering Catholics. But there is no doubt that the King and the Archbishop held out the prospect that anyone who took the oath would not be too closely questioned about his violation of other statutes. The enactment of the oath was a continuation, not a departure from the later policy of Elizabeth in treating the Catholic profession as "tolerated vice." The Catholics make this clear in many places (see Tierney's appendix to *Dodd's Church History*, vol. iv), and James makes much of it in his *Apology* for the oath. References to this policy also occur in the King's speech to his judges in 1616. In the *Apology* the King says explicitly that he had freely excused recusants "of their ordinarie paiments" and had ordered his judges to spare the execution of all priests. *Works*, p. 253, *post*, p. 76. Speaking of the harsh laws passed after the powder plot, he says in his *Monitory Preface*, "And yet so farre hath both my heart and gouernment bene from any bitternes, as almost neuer one of those sharpe additions to the former Lawes haue euer yet bene put in execution." *Works*, p. 292, *post*, p. 113. See also *Ibid.*, *Works*, p. 336, *post*, pp. 157-158. *Response to Cardinal du Perron*, *Works*, p. 474, *post*, pp. 257-258, also in his various speeches, *Works*, pp. 491-493, 544-545, 565-566, *post*, pp. 274-277, 322-323, 341-342.

Bellarmino's doctrine of a Papal power *indirecte* to interfere in secular matters *ad finem spiritualem*, and it would have been extremely difficult to dispute James's frequent assertions that his oath was "meerely Civill." But the act might be considered to do somewhat more than this. It might plausibly be said to require not merely the rejection of the doctrine of the deposing power: to demand that that doctrine be branded as impious, damnable, and even heretical. What is this but to declare all holders of such a doctrine to be heretics? And it was notorious that the majority of Catholics did hold it. Could it be said that this requirement had nothing to do with things spiritual? The King here demands that English Catholics shall deny the Pope's authority in secular matters, but what is he himself doing when he sets himself up to adjudge as heretical a doctrine believed by the majority of Catholics? Could James expect the Pope to regard the line of division between the secular and the spiritual when he so ignores it himself?

Such offensive terms as these applied to a doctrine firmly held by many Catholics, no doubt gave an opening for the attacks of James's enemies, particularly Cardinal du Perron, who dwelt at length upon this point; but the real objection of the Papacy went far deeper and was exactly expressed in Cardinal Bellarmine's letter to the English Archpriest, "For most certain it is, that in whatsoever words the Oath is conceived by the adversaries of the faith in that Kingdom, it tends to this end, that the Authority of the head of the Church in England may be transferred from the successor of S. Peter, to the successor of King Henry the Eighth."<sup>1</sup> Such an objection could not have been obviated by any softening of terms which retained the denial of the Pope's temporal power. The less fundamental criticisms of du Perron and others we may regard largely as an attempt to discredit the argument of an opponent, but the question remains, why did James unnecessarily give them the opportunity?

To the English Parliament, however, the provisions of this act were displeasing only because they did not go far enough. Apparently they were entirely satisfactory to both Bancroft and James, both in their general tenor and in their wording.

James's real attitude toward Catholicism springs from the same root as his views on Puritanism. In both cases his hostility is more political than religious. What made him love the bishops was the *congé d'élire* and little more, what made him hate equally a Scottish synod and a Roman pontiff was their common denial of his royal power as supreme governor in matters and causes ecclesiastical, and nothing else. With the doctrines of the Pope, as well as those of the less extreme Puritans, he had little quarrel. He acknowledged that the Roman church was catholic, and that its faith was "the ancient mother religion of all the rest," and he acknowledged this not on account of any theory of toleration, a theory most

<sup>1</sup> English translation in James's *Apology, Works*, p. 260, *post*, pp. 82-83. The original is in Bellarmine's *Responsio ad Apologiam*, Bellarmine's *Works*, v, 168.



hateful to him, but because he believed the Roman faith to be in its essentials true. It was only the pretensions of the later popes to a temporal power in conflict with the rights of princes that he denied. He had even admitted the Pope's spiritual primacy, but this was before he became "supreme governor."

Of James's two grandsons, Charles II and James II, in matters of religious conviction he more resembled the former than the latter. Though priding himself more on his acuteness in theological disputation than on anything else, there is little real indication that he cared much for religion. Both in Scotland and in England policy demanded that he should remain true in the main to the religion of his tutors rather than that of his mother, but the Stuart tendency toward Catholicism which finally cost them the throne can be seen in his whole reign. It is one of the chief causes of his continual quarrel with his Commons who were strongly Protestant, and it would probably have disturbed even the harmony of his relations with his bishops, had not their political interests and his been identical. In reality he was less Protestant than most of his bishops, notably Abbot. Their common bond was the political necessity of combating the Puritans and the "Papists." "No bishop no king," but also no king no bishop.

Theirs was a defensive alliance against popery and parity, little more; an alliance essentially political, in which matters of religion had but a small part. The Stuart kings, James even included, were really foreigners in thought as they all were in their marriage alliances. None of them ever showed a clear understanding of the English constitution, of England's true international position, or — most important of all — of the religious instincts of the nation. These things have a bearing on the nature and the purpose of the oath and upon the manner of its administration. That they are true, James's whole public life and nearly all his writings attest.<sup>1</sup>

<sup>1</sup> It is unnecessary to add much to the proofs of these points given by Canon Tierney in his elaborate note to Dodd's *Church History*, iv, p. 36. James's attempt to secure a Scottish cardinal in 1599 is significant, and his later hypocritical prosecution of Lord Balmerino is a proof of his own insincerity rather than of Elphinstone's guilt. See his letter to the Pope printed in Rushworth, I, 162-164. A brief report of the trial is given in Howell's *State Trials*, ii, 722. The King was really forced to go through this farce on account of the anger of the English Protestants when Bellarmine made known James's letter of 1599 in his *Responsio* (*Works*, v, 166). The terrible sentence against Balmerino was not enforced and was not intended to be. Balmerino himself after his conviction declared, no doubt truly, that James knew all about the letter before it was sent, and it required all the pressure and promises that Cecil could apply to induce him to recall it. See *D. N. B.*, Elphinstone, James; Taunton, *History of the Jesuits*, 274 et seq. The accounts of these transactions and of other acts of James which gave rise to hopes among English and foreign Catholics are so exhaustively treated by Tierney, Gardiner, and Usher (*Reconstruction*, i, 302-309; ii, 91-94), that no further account is necessary. James's opinions as to the different classes of Catholics within his realm and of the way each should be treated are found in many places in his writings. His views are summed up in the statement of the purpose of the oath in his *Apologie*, "wisely to make distinction betweene the sheepe and goats in my owne pasture . . . to set a marke of distinction betweene good subiects and bad. Yea, betweene Papists, though peradventure zealous in their religion, yet otherwise ciuilly honest and good Subiects, and such terrible firebrands of hell, as would maintaine the like maximes, which these Powder-men did." *Works*, p. 274, *post*, p. 97. For some other expressions of his opinions, see the *Apologie*, *Works*, p. 253, *post*, p. 76; *Monitory Preface*, *Works*, pp. 292-293, *post*, pp. 113-114, 336, *post*, pp. 157-158; *Response to Cardinal du Perron*, *Works*, p. 474, *post*, pp. 257-258; *Speech of 1603*, *Works*, pp.

From the time of the Reformation to the present a division has existed among Catholics which corresponds to the difference between Ultramontanes and their opponents. The policy of employing this division fell in exactly with James's theories of Church and State, and this must be considered one of the reasons for the enactment of the oath. But James had no doubt been influenced in favor of this policy by his correspondence with Cecil while he was still in Scotland, and it was in fact nothing new in England. Cecil and Bancroft had been employing it for years in fomenting the quarrel between seculars and Jesuits in England before James's arrival. We cannot, therefore, consider the oath as due merely to James's influence or its history as beginning only at his accession.<sup>1</sup> A clear understanding of the purposes which led to its enactment requires some consideration of the eagerness of a Puritan House of Commons inflamed by the memory of the recent gunpowder plot, the long-standing quarrel among Catholics themselves, the views of James, and the previous policy of Bancroft, all taken together.

We must now turn to the history of the results of this legislation. If a further division of the Catholic opposition in England was aimed at it may be said that this aim was achieved. From 1606 until the Revolution, when the oath was altered, and even to the present time, Catholics have disagreed as to the wisdom and justice of this measure. To Charles Butler "Nothing . . . could be more

491-493, *post*, pp. 274-277; Speech of 1605, *Works*, pp. 503-504, *post*, pp. 284-286; Speech of 1609-10, *Works*, pp. 544-545, *post*, pp. 322-323; Speech of 1616, *Works*, pp. 565-566, *post*, pp. 341-342; *Correspondence of King James VI of Scotland with Sir Robert Cecil* (Camden Soc.), pp. 31-33, 36 *et seq.*

<sup>1</sup> The earlier history of the oath in England has been admirably treated by Usher in his *Reconstruction of the English Church*, i, book i, ch. viii; ii, book iii, ch. iii, to which the reader is referred. Professor Usher attributes it almost entirely to Bancroft. In vol. ii, Appendix i, pp. 310-324, the various forms offered by the Catholics or suggested by the Bishops from 1581 to 1606 are brought together from manuscript sources. A careful comparison of these is necessary to an understanding of the history of this important enactment. Such a comparison shows that the one important thing omitted in these drafts but occurring in the oath itself is the characterization of the doctrine of the right of the people to depose or assassinate a ruler when deprived by the Pope as "impious," "heretical," and "damnable." How and why were these words inserted? Professor Usher rejects the story that they were put in after conference with Christopher Perkins, "a conforming Jesuit," as asserted by Taunton without citing authorities. The story, however, seems not improbable. Sir Christopher Perkins was a man who received many favors, including knighthood from James (see *D. N. B.*), and his part in this matter is mentioned by Dodd (iv, 70-71 and Tierney's notes) and by Charles Butler in his *Historical Memoirs*, ii, 188-189, where a number of authorities are given. See the temperate and excellent account of Lingard, *History of England*, vii, 47 *et seq.*; also that of Mr. Law, *Jesuits and Seculars*, Introduction, pp. cxxiii-cxxiv.

But though the part of Perkins in adding those offensive words be rendered probable, it brings us no nearer the real reason for their inclusion. The only object could be the further accentuation of the gap between the "sheep" and the "goats" and this it must have been. It was no doubt the desire of James and Bancroft by these harsh adjectives to draw the line between the two classes of English Catholics with such startling sharpness that it could never be obscured by the casuistry of which the Jesuits were noted masters. "Some form of oath was sought which . . . the Pope and the Jesuits would be certain to disapprove; for . . . until the Catholics would act independently of Rome, no lasting settlement could be secured." (Usher, *Reconstruction*, ii, 179.) But James must have known that this result was only to be obtained at the cost of losing a certain number of adherents and also of laying himself open to the attacks of his antagonists, even though it is not the Pope's but the *people's* deposing of a king to which the oath applies the word heretical, as the King himself pointed out clearly enough. Lingard's remarks on this are judicious. *Op. cit.*, vii, 48.



wise, or humane, than the motives of James, in framing the oath;"<sup>1</sup> while Dodd asserts that it "was never designed to be a test of allegiance, but a state trick, to squeeze money from the party, and nourish an opinion in the common people, that they were enemies to the civil government."<sup>2</sup> And this disagreement, furthermore, had also the ultimate result intended. The oath as the Catholic historian confesses, "effectually broke the power of the Catholic body in England, by dividing them into two parties marshalled against each other."<sup>3</sup> To a historian of the Stuart period results such as these certainly give to the enactment of the oath an importance hardly secondary to anything that occurred in that crowded epoch, but to the student of the history of political thought the oath should if possible have a still greater significance. For in reality it marks a turning point in the history of modern politics, and its effects were felt at once in every corner of the western intellectual world.

"The anti-papal controversy of James's reign," says Mark Pattison in his life of Casaubon, "is as obsolete for our generation as any other theological squabble, and the books, in which it is consigned, are equally forgotten; Casaubon's among the rest. But those who are acquainted with the situation of affairs at that period, are aware that this was no brawl of rival divines. . . . But in 1611 he [James] was heartily contending against the still advancing tide of the catholic reaction. The form in which this was threatening Europe was indeed that of military force, but it was also an invasion of opinion. The jesuits did not draw the sword in Germany until they had gained a footing in the minds of men. The books and pamphlets they were now disseminating were what made the thirty years' war possible. When the enemy was successfully availing himself of the power of the press, it was wise and necessary that he should be met on the same ground."<sup>4</sup>

This was no merely English struggle. It was equally important for Venice, for France, for every prince in Europe, and above all for the Papacy itself; and it was important for all because the revived Catholic world was now making ready for its mightiest renewal of the old quarrel between Church and State under the changed conditions imposed by the rise of national states and the schisms which the Reformation had produced. In the history of western political thought no more critical time can be found than the opening years of the seventeenth century and at no time in her whole history was England so prominent in that world of thought as in the earlier part of the reign of James I. England was universally recognized then as the one corner of Christendom in which there was still hope of checking the onward moving tide of the Catholic reaction; the hopes of Catholics and Protestants alike had been concentrated upon her as upon

<sup>1</sup> *Historical Memoirs*, ii, 185. See also a somewhat similar judgment of Lingard. *History of England*, vii, p. 47.

<sup>2</sup> *Church History*, iv, 79-80.

<sup>3</sup> Lingard, *loc. cit.* For concrete evidence of this, see Dodd's *Church History*, iv, pt. v, art. iv, with notes, and Tierney's appendix to the same volume, p. cxxv, *et seq.*, *passim*.

<sup>4</sup> Second ed., pp. 310-311.

no other part of Europe, and therefore, the dramatic effect produced in every corner of the intellectual world, Catholic or Protestant, by the challenge to the theory of that reaction which James's oath contained is hard for us to estimate highly enough.

Referring to Bellarmine and to the Gunpowder plot in England, Hallam says, "The temporal supremacy would . . . have been left for obscure and unauthorised writers to vindicate, if an unforeseen circumstance had not called out again its most celebrated champion."<sup>1</sup> The truth of this we may doubt, but the fact we can never doubt, that the English oath of allegiance actually did give rise to a paper warfare in Europe the like of which has never been seen since and is hardly likely ever to be seen again now that the common language of that warfare has fallen into disuse. As Krebs says, "Gelehrte von fast ganz Europa waren in den Streit verwickelt, dessen Höhepunkt in die Jahre 1609 bis 1611 fällt,"<sup>2</sup> or a French writer: "Non mente hodie fingere possumus quam variis quamque acribus studiis haec controversia, inter potentissimum principem, unumque ex doctissimis Europae viris exorta, initio saeculi XVII animos accenderit. Dum praecipui catholici theologi, Galli, Germani, Belgae, Hispani, Itali, Angli in auxilium Bellarmini concurrebant, fidelem doctamque operam rex Jacobus cum apud protestantes theologos omnium gentium invenit, tum etiam apud aliquos gallicanos doctores, in ceteris quidem rei catholicae studiosissimos, regiis antem placitis de potestate pontificia faventes."<sup>3</sup> "To all who are interested, either in the history of the times," says Charles Butler, ". . . or in the history of the pretensions of the popes to temporal power, this controversy is of singular importance."<sup>4</sup>

The great stir caused by the new oath can only be understood in the light of the special interest in the old controversy between the Pope and the princes which had been roused by the recent and repeated assertions of the right of tyrannicide, by the application of this theory to the Jesuit doctrine that no heretic might bear rule, and by the startling effects of these theories, such as the murder of Henry III, or the attempts on the life of Elizabeth.<sup>5</sup> To understand the results of the oath one further characteristic of the intellectual activity of the time must also be kept constantly in mind. It is this; that Europe was divided into two camps, armed as yet with only intellectual weapons, but none the less

<sup>1</sup> *Literature of Europe*, ii, 298.

<sup>2</sup> *Die Politische Publizistik der Jesuiten*, p. 36.

<sup>3</sup> Servière, *De Jacobo I . . . cum . . . Bellarmino . . . Disputante*, p. 132.

<sup>4</sup> *Historical Memoirs*, ii, 200. Servière and Krebs give excellent bibliographies. Brief ones are also to be found in Gooch, *History of English Democratic Ideas*, p. 27, and Lossen, *Die Lehre vom Tyrannenmord*, note 58, p. 56. Good accounts of the oath are to be found in Usher and Lingard, in Gardiner's *History of England*, i, ch. vii, and in Ingram's *England and Rome*, ch. v.

<sup>5</sup> The history of the theory of tyrannicide is given by Douarche, *De Tyrannicidio apud Scriptores Decimi Sexti Seculi*, with a considerable bibliography, p. 104 et seq.; Lossen, *Die Lehre vom Tyrannenmord*; Krebs, *Die Politische Publizistik der Jesuiten*; Treumann, *Die Monarchomachen*; Foulis, *The History of Romish Treasons and Usurpations*, book ii, Gooch, *English Democratic Ideas*, pp. 20-29; Reusch, *Beiträge*, pp. 1-58. To these the reader must be referred. The subject is also dealt with in the general histories of political theory, such as Janet's or Dunning's.



under the direction of leaders who employed these means as part of a great campaign. It would be wrong to think of the innumerable books which poured from the presses between 1606 and 1620 merely as the work of detached individuals who wrote on account of their private enthusiasm for their cause. The Jesuits, and to a lesser degree the Gallicans and the Anglicans carefully planned every move. As men showed special fitness for dealing with a certain phase of the controversy they would be detached for that special service, and care was taken that all phases should be touched upon. Nothing was left to chance. When a man's reputation as a scholar was too solid to be taken by direct assault, as in the case of Joseph Scaliger, the services of a sapper like Scioppius would be called in to attack him on the personal side. Whenever a specially able attack was made by any of the enemy, the men best fitted would be detailed to prepare an answer. It was a carefully planned campaign for the conquest of intellectual Europe in which every move of the enemy was met by a counter move carried out by the method and the men best adapted to make it effective. Care was taken, for example, that a telling book should appear both in Latin and in the vernacular in the country where its effect was most desired. Sometimes such books were translated into several languages, and occasionally different books were written along the same lines by different men, each proficient in the language in which he wrote. In France where the contest was critical the ability of Cardinal du Perron, who had converted a king and vanquished the "Pope of the Protestants" in public debate, was too great to be allowed to lie idle. He was accordingly employed to counteract by his powers of persuasive eloquence the efforts of the Gallican party in the States General of 1614-15 and to write an answer to the English King himself; while Père Coton was set on work to dispel the distrust which had been created in France by the Catholic defenders of tyrannicide such as Mariana or Boucher. So men of the type of the scholarly and temperate Jesuit, Fronton du Duc were given the more congenial task of answering the learned arguments of Casaubon, while the attacks on his character, when the time came for them, were entrusted to a Scioppius or a Eudaemon-Johannes. In Italy and Spain, at Louvain and Ingolstadt and Maintz it was the same. When Martin Becan had written one of his most effective books against the oath, provision was made that it should soon appear in English dress for English readers, while Parsons and others nearer home, were rapidly turning out others in both Latin and English. On the Anglican side, too, though the forces were less effectively handled than among the Jesuits, and the available champions fewer, this is equally noticeable. Nothing else explains the anxiety of James to bring to England Casaubon, then the chief scholar of the age, whose book, *De Libertate Ecclesiastica*, James had known for several years.<sup>1</sup> Only thus can we account for the activity of Bishop Andrewes in the controversy, the man probably best fitted in the whole of England for his particular service but at the same

<sup>1</sup> Pattison's *Casaubon*, p. 272.

time totally disinclined to it by temperament. The same could probably be said of Doctor Donne. In fact, it was notorious in England that the surest road to ecclesiastical or academic preferment was by the writing of a book defending the oath and its royal apologist; and many there were who sought it. There is little doubt, on the other hand, that magistrates were instructed to wink at the recusancy of a Catholic who was willing to employ his voice or pen on the side of the King.

The contest was opened by one of the principals himself. It began with the Breve of Pope Paul V of Sept. 22, 1606, commanding English Catholics under no circumstances to take the oath, *cum multa contineat, quae fidei, & saluti aperte adversantur*.<sup>1</sup> The English Catholics were in consternation. Like Henry II's bishops after the *Constitutions of Clarendon*, they were "between the hammer and the anvil." Many finally consented to take the oath, among them the Archpriest George Blackwell, head of the Catholics in England.<sup>2</sup> Not content with this Blackwell withheld the papal breve from publication, and under pressure of Bancroft and the Council wrote a letter advising Catholics to take the oath, copies of which Bancroft made sure to be widely scattered.<sup>3</sup> This led to the issu-

<sup>1</sup> It is conveniently found in Tierney's appendix to Dodd's *Church History*, iv, p. cxl, or in Bellarmine's Works, v, 158. An English translation is given in James's *Apology*, Works, p. 250, *post*, p. 73.

<sup>2</sup> For much information on this, see the letters given by Tierney, *op. cit.*, pp. cxliv, *et seq.*, *passim*.

<sup>3</sup> This letter is given in full by Tierney, *op. cit.*, p. cxlvii. Good accounts of these transactions are given by Tierney and Usher. Blackwell was only induced to write his letter after several searching examinations some of them before the High Commission. Bancroft lost no time in printing and disseminating the reports of these examinations in both the original English and in a Latin translation, together with Blackwell's letters to his clergy and Bellarmine. The Latin version is given in Goldast, iii, 578-612. The English edition was printed by Robert Barker in 1607 with the title: *A Large Examination taken at Lambeth . . . of M. George Blackwell*. A summary of it is to be found in C. Butler's *Memoirs*, ii, 204, *et seq.* It is a remarkable document, in which it is brought out probably more clearly than anywhere else how direct the connection was between the oath and the theory of the indirect power. I know of no document that brings to light so clearly as this all the essential points of the great controversy which the oath had brought to a direct issue. Blackwell is driven by the searching questions of the commissioners from one point to another, he is not allowed to rely on quotations, and in the end is forced to a direct denial of the temporal power *in toto*. The examiners attacked him at the outset for his admission in his letter to Bellarmine that the Pope "as supreme spiritual prince" could depose kings. It is impossible here to trace the whole examination. Blackwell denied the direct power, but the examiners were more interested in the indirect (pp. 35-36). He attempted to answer by long quotations from Catholic writers (36-37) but this would not suffice. His own opinion was demanded and finally obtained "though he was hardly drawn unto it." When the examination reached the indirect power, he said, "that now indeed the matter was followed to the quicke," but he still tried to evade an answer (p. 48), though he admitted that this doctrine was unknown for three hundred years after Christ (p. 51). "After sundry tergiversations" he admitted that Bellarmine's views were "political" but "not theological" and that he did "wholly disallow the said assertions" (p. 53). Then he had recourse again to long quotations "out of his pocket-notes" (pp. 63-65). Pressed still further for his own opinion he said the indirect power of deposing was "left as yet undetermined by the Church" and begged to be excused from an answer "in matters of so great moment and difficultie" (p. 66). But the examiners reminded him of his admissions to Bellarmine and demanded an explanation. "Being eftsoones urged" he admitted that he disagreed with Bellarmine on both the direct and the indirect power, and said the Pope had no *imperial* or *civil* authority to depose directly or indirectly (pp. 76-77). This, of course, left untouched the indirect power in *ordine ad spiritualia*, but he was finally driven to deny categorically that the Pope *jure divino* or by any other means has any power or authority directly or indirectly in *ordine ad spiritualia* to depose the king or absolve his subjects (p. 84). He went further and accepted the words "im-



ing of a second breve on August 23, 1607 reiterating in unmistakable terms the command of the first.<sup>1</sup>

On September 28th of the same year, Bellarmine wrote to Blackwell condemning in severe terms the Archpriests' course and declaring the oath to be contrary to the Catholic faith.<sup>2</sup> To this Blackwell returned an answer on November 13th, setting forth the grounds of his acceptance of the oath.<sup>3</sup>

It was these two papal breves and Bellarmine's letter to Blackwell which James set himself to answer in the book which was the occasion of the extension of this quarrel from England to Christendom. This book, with the title *Triplici nodo, triplex cuneus or an Apologie for the Oath of Allegiance*, was published anonymously in 1607. It is given in full here and commentary is unnecessary. James's editor says the King only drew it up as rough notes for a treatise to be written by the Bishop of Winchester and that it took only six days.<sup>4</sup> It was written in English and at once translated into Latin.<sup>5</sup> The edition given here is the one printed later with James's *Monitory Preface* included, but the king says no changes were made save corrections of the errors of copyists and printers,<sup>6</sup> though his enemies assert that the first edition was suppressed on account of the serious mistakes pointed out in Bellarmine's answer, which were corrected by the bishops for the second edition.<sup>7</sup> The substance of the *Apology* is the attempt to prove that the oath "is meere cyuill."

Though the *Apology* was anonymous, it was printed by the King's printer and the edition contained the royal arms. James's authorship was an open secret in England and not doubted at Rome. This was a challenge that could not be

pious" and "heretical" (85-86), though he had admitted (p. 38) that this was the part of the oath "most misliked by many Catholickes in England." Even with this the examiners were not fully satisfied. They desired to know what Blackwell's attitude would be if the Pope now declared the deposing power to be a matter of faith. This disconcerted him, but he finally answered that anything declared to be a point of faith formaliter must be received, but not a particular deposing of "our king," which might be based on misinformation (88-89). They then questioned him on his view of a tyrant and whether a heretic is not in the same position, to which he replied that a hereditary king is no tyrant and cannot be deposed, agreeing with Blackwood whom he cited at length (p. 103). The examination did not stop there, but space will not permit its being traced farther. Blackwell's letter to his clergy which resulted is a complete and unequivocal renunciation of the doctrine of the papal power in temporalities, direct and indirect (p. 158).

<sup>1</sup> Tierney, *op. cit.*, p. cxlvi; or Bellarmine's Works, v, 167, where the date is incorrectly given. James gives an English translation, *Apology, Works*, p. 258, *post*, p. 80.

<sup>2</sup> Tierney, *op. cit.*, p. cxlviii, Bellarmine's Works, v, 168, Goldast, iii, 574. English translation in James's *Apology, Works*, p. 260, *post*, p. 82.

<sup>3</sup> Tierney, *op. cit.*, p. clii, Goldast, iii, p. 576.

<sup>4</sup> *Preface to the Reader, Works of James I.*

<sup>5</sup> *Monitory Preface, Works*, p. 293, *post*, p. 114.

<sup>6</sup> *Ibid.*, Works, p. 330, *post*, p. 152.

<sup>7</sup> On this point see Servièrre, *op. cit.*, pp. 34-35, 61, 67, 133; Lingard, *History of England*, vii, 50-51 with the references cited by both writers. There is little reason to doubt these statements, which are based largely on *Les Ambassades de M. de la Boderie en Angleterre de 1606 à 1611*. Greater probability is given to la Boderie's reports by a note added to the 1609 edition of the *Alplogie* but omitted in James's collected works, which warned the reader against imperfect copies which had been surreptitiously collected and sold by under officers in the printing house. A copy of the proclamation calling in the first edition is preserved in the British Museum Library.

ignored. The fittest person to answer a king's book was the greatest of Catholic controversialists. This he did at once in a book entitled *Responsio ad Librum Inscriptum Triplici nodo, Triplex Cuneus, sive Apologia, etc.*, under the name of Matthaeus Tortus, one of his almoners;<sup>1</sup> and with its publication the controversy over the oath became a European instead of an English question. The Cardinal's chief point of attack was James's assertion that the oath was merely civil. *Primum ostendemus*, he says, *Juramentum Catholicis propositum, non solum civilem obedientiam, sed etiam Catholicae fidei abnegationem requirere: haec enim est principalis Quaestio quae inter nos hoc tempore disputatur.*<sup>2</sup> Anything, he asserts, is a matter of faith which concerns the primacy of the Apostolic See, which all Catholics believe as a dogma orthodoxae fidei to be founded upon the holy Scriptures.<sup>3</sup> Non igitur hoc Juramento sola civilis obedientia quaeritur, sed quaeritur abnegatio fidei Catholicae, & ut obediatur homini contra obedientiam Dei.<sup>4</sup> To take this oath non tam jurari fidelitatem ad Regem, quam abjurari fidelitatem ad Christi Vicarium.<sup>5</sup> This is the chief argument, though he does not end it without denying James's claim that he is no heretic.<sup>6</sup>

The name of Tortus no more concealed the authorship of Bellarmine's answer than had the omission of James's name from his *Apologie*. The *Responsio* had carried the *Apologie* and the answer to it into every part of western Europe. It was now the King's move, and he made a double one. A new edition of the *Apologie*, was issued with the King's name on its title-page accompanied by a long preface addressed to the princes of Europe, with an appendix consisting of "A Catalogue of the Lyes of Tortus, together with a briefe Confutation of them."<sup>7</sup> At the same time Bishop Andrewes was given the task of making a more detailed answer to Tortus. The King's book appeared in 1609, the preface entitled *A Premonition to all Most Mightie Monarches, Kings, Free Princes, and States of Christendome*. The chief purpose of the *Premonition* is to show to the princes of Europe that the pretensions of the Papacy are a menace to the rights which they all claimed as sovereign rulers. It also deals at length with the question of James's alleged heresy. It is included in this volume, pp. 110-160. The Bishop's book appeared in the same year, printed at London by Robert Barker with the title *Tortura Torti sive Ad Matthaei Torti Librum Responsio, etc.*<sup>8</sup>

<sup>1</sup> Coloniae Agrippinae, 1608, reprinted in Bellarmine's Works, v, 155-188.

<sup>2</sup> Works, v, 157.

<sup>4</sup> *Ibid.*, p. 158.

<sup>3</sup> *Ibid.*

<sup>5</sup> *Ibid.*, p. 164.

<sup>6</sup> *Ibid.*, p. 188. There is a good summary of the *Responsio* in Servièrè, *op. cit.*, pp. 47-67.

<sup>7</sup> This is the *Premonition* or *Monitory Preface*, printed in this volume, p. 110.

The King had copies sent at once to the different European princes. On their reception see Lingard, vii, 50-51; Servièrè, *op. cit.*, pp. 113-115, 118, 122; Winwood, iii, 51, 55, 56; Lucy Aikin's *Court of James I*, i, 266-269; Prat, *Recherches*, iii, liv. xvii, ch. iii. See also *Forlescue Papers* (Camden Soc.), No. II, 3-6, with Henry IV's characteristic comment on the advisability of a King's entering this controversy (p. 6, note 1) "Une trop curieuse justification aussy engendre souvent des effects contraires à nostre expectation."

<sup>8</sup> I have used the reprint in the *Library of Anglo-Catholic Theology*, Oxford, 1851, edited by James Bliss.



It is a detailed answer between three and four hundred octavo pages in length to all the points in Tortus, with some personalities added.<sup>1</sup>

Bellarmino now returned to the attack with his *Apologia pro Responsione sua*, in which the *Responsio* was acknowledged and defended and James's *Premonition* answered.<sup>2</sup> A new edition of the *Responsio* accompanied it.

To this Andrewes, in turn, replied in probably the weightiest book written on the King's side, his *Responsio ad Apologiam Cardinalis Bellarmini*, London, 1610,<sup>3</sup> an elaborate examination of the whole question at issue in some four hundred pages, in which he had some assistance from Casaubon.<sup>4</sup>

But the controversy was not confined to these champions. In England and on the Continent many men were busy attacking this question from every possible angle, or engaged in less creditable literary assaults on the persons of their antagonists.

Among English supporters of the Papacy one of the most important in the earlier part of the controversy was the indefatigable Robert Parsons. He had now ostensibly accepted the succession of James and when the oath appeared was bending his great energies to secure a mitigation of the laws against Catholics.<sup>5</sup> Clearly seeing by 1608, however, that mitigation would never come, he turned on James with his accustomed force and ability in *The Judgment of a Catholicke Englishman living in banishment for his religion . . . concerninge a late booke set forth and entituled Triplici Nodo triplex cuneus*, etc.<sup>6</sup> This book was too able and too important to leave unanswered in England, so William Barlow recently translated from Rochester to Lincoln was set to answer it, which he did in 1609 in his *Answer to a Catholicke Englishman (so by himself entituled)*. Parsons returned with a long and abusive answer which was not published till 1612, after the author's death: *A Discussion of the Answere of M. William Bar-*

<sup>1</sup> There is a summary of the contents in Ottley's *Launcelot Andrewes*, pp. 59-71. Apparently this task was not of Andrewes's own seeking. On October 21, 1608, John Chamberlain in a letter to Dudley Carleton mentions the report "that the Bishop of Chichester is appointed to answer Bellarmine about the oath of allegiance, which task I doubt how he will undertake and perform, being so contrary to his disposition and course to meddle with controversies." Birch, *The Court and Times of James I*, i, 77.

<sup>2</sup> *Works*, v, 97-154. Summary in Servièrre, *op. cit.*, pp. 90-110. Among other things it contains a long answer to James's assertion that the Pope is Antichrist, chs. ix-xii, p. 131 *et seq.* A French translation appeared in 1610, De Backer, *Bibliothèque de la Compagnie de Jésus*.

<sup>3</sup> Reprint, Oxford, 1851.

<sup>4</sup> Ottley, *op. cit.*, p. 97; Pattison, *Isaac Casaubon*, 308, note 1. Ottley gives a convenient summary of this book, pp. 154-176.

<sup>5</sup> See his *Answer to Thomas Bels Late Challenge*, Douai, 1605. It is evidently intended to placate James by showing that the theory of the indirect power was far less dangerous to monarchy than the teachings of the Puritans. The book is dedicated to the King himself and is important. The facts cited in it were apparently freely drawn upon later by Catholic controversialists on the Continent, notably Gretser. A more important book of his along the same line was his *Treatise Tending to Mitigation towardes Catholicke-Subiectes in England*, 1607, a still more remarkable attempt to reconcile the Jesuit doctrine with royal authority in answer to the attacks of Thomas Morton, later bishop of Chester, of Litchfield, and of Durham.

<sup>6</sup> *Saint Omer*, 1608. The book is anonymous, and is in answer to the first edition of the King's book which also appeared without a name. Parsons pretended that he did not know it was written by James.

low, *D. of Divinity*. Bellarmine's theory is defended at great length,<sup>1</sup> but the personalities make the book very tiresome. But though English Catholics contributed, the chief burden of defense of the Papacy fell on the Catholics, more especially the Jesuits, on the Continent, and among them were some of the most learned and eminent polemical writers of that day. Of these probably none had more authority or more ability than Martin Becan, Becanus, Verbeeck, or Van der Beeck, of Maintz. Becan entered the controversy as early as 1609 by the publication of his *Refutatio* to James's *Premonition*, three editions of which appeared in as many years. He followed it the next year by a *Refutatio Torturae Torti*, to which three English answers appeared in 1611, one of which by William Tooker is referred to below. Another was Richard Thomson's *Elenchus Refutationis Torturae Torti, Pro . . . Episcopo Eliensi adversus Martinum Becanum Jesuitam*. The third was Robert Burhill's *Responsio pro Tortura Torti*. In 1610 Conrad Graser, professor at Thorn, had written a book entitled *Plaga Regia* in support of James's opinion that the Pope was Antichrist. This Becan answered by his *Examen Plagae Regiae* in the same year and was himself answered the next in *Becano-Baculus-Salconbrigiensis; vel Refutatio Beccanici Examinis Plagae Regiae, quoad orthodoxam Protestantium doctrinam, et Serenissimi Regis Angliae Primatum Ecclesiae Regium vincat Veritas*.<sup>2</sup> No better illustration than this could be had of the way the controversy had spread. In 1612 Becan turned to answer the English critics of his *Refutatio Torturae Torti*. His answer was entitled *Dissidium Anglicanum* with a brief preface to English Catholics. This book was translated by William Wright as *The English Iarre, Or Disagreement among the Ministers of Great Britaine, concerning the Kinge's Supremacy*. St. Omer, 1612. William Tooker, Dean of Litchfield, in 1611 defended the King against Becan in his *Duellum sive singulare certamen cum M. B. . . . futiliter refutante Apologiam . . . Jacobi Regis Magnae Britanniae*. This Becan answered by the *Duellum Martini Becani Societatis Jesu Theologi, cum Guilielmo Tooker . . . De Primatu Regis Angliae*, Maintz, 1612. The same year he published *De Pontifice Veteris Testamenti, Et de Comparatione illius cum Rege*; also *Controversia Anglicana, De potestate Regis et Pontificis*, against Andrewes and in defense of Bellarmine. This was one of his best known books and often reprinted. It was condemned by the faculty of the University of Paris and in 1613 this condemnation was printed in

<sup>1</sup> P. 70 et seq. The book was edited by Thomas Fitzherbert who contributed a long preface, more abusive than the book itself. Fitzherbert also wrote several books of his own on this controversy, *A Supplement to the Discussion*, 1613, an attack on Andrewes's *Responsio* to Bellarmine in the same year, and in 1614 a reply to Roger Widdrington. A partial list follows of the books written by Englishmen on the side of the papacy: Humphry Leech, *Dutifull Considerations addressed to King James concerning his premonitory Epistle to Christian Princes*. St. Omer, 1609. Parsons is said to have assisted in the preparation of this book. See *D. N. B.*, and Gillow, iv, 185-186. Edward Weston, *Juris Pontificii Sanctuarium Defensum ac propugnatum contra Rogerii Widdringtoni in Apologia & Responso Apologetico Impietatem*, 1613. Matthew Kellison, *The Right and Jurisdiction of the Prelate and the Prince*, Douay, 1617. Thomas Dempster, *De Juramento Libri III pro Bellarmino*. Bononiae, 1623 (De Backer I, 1215). Gillow (iv, 187-188) mentions also Edward Leedes, alias Courtney, *A Discourse against the Oath of Allegiance*, 1634, in answer to Sir W. Howard's *Pattern of Christian Loyaltie*.

<sup>2</sup> See De Backer under Becanus, also Krebs, *op. cit.*, 210-211.



England. In 1612 Richard Harris wrote in answer to Becan's *Dissidium Anglicanum* his *Concordia Anglicana de Primatu Ecclesiae*. This Becan in turn replied to in 1613 by his *Examen Concordiae Anglicanae*. In 1614, Harris returned after the publication of the *Dissidium* in English by writing his *English Concord in Answer to Becane's English Jarre, and his Examen of the English Concord*. Among these books of Becan might also be reckoned his *De Republica Ecclesiastica*, 1619, in answer to the book of the renegade De Dominis whom James had encouraged in his attacks on Rome.

The voluminous Becan is possibly more remarkable than typical, but his books and those which called them forth or answered them furnish a concrete, not to say horrible, example of the nature and extent of this controversy which the English oath had stirred up; and they indicate it better than any amount of generalization. Among other books elicited by the King's *Apologie* a few are so important that they must not be entirely passed over. One such was the book written at the request of the Pope himself by the celebrated Spanish Jesuit Suarez,<sup>1</sup> which had the distinction of being burnt both by the Parliament of Paris and the English government. Another was the *Examen Praefationis Monitoriae Jacobi I*, etc. of Coquaeus, published at Freiburg in Breisgau in 1610. The *Apologia Adolphi Schulkenii Geldriensis, Coloniae Aggrippinae*, 1613, is a defence of Bellarmine against Widdrington usually attributed to Bellarmine himself.<sup>2</sup> An Italian attack on James was *F. M. Antonii Capelli Franciscani Conventualis adversus praetensum Primatum Ecclesiasticum Regis Angliae Liber*, etc., Bononiae, 1610.

Of the Jesuits who rushed to Bellarmine's defense none was more respected or influential than James Gretser, professor at Ingolstadt.

In 1610, he published an important attack on James's two books concerning the oath under the significant title *Basilikon Doron*.<sup>3</sup> It was dedicated to James'

<sup>1</sup> *Defensio fidei catholicae et apostolicae adversus anglicanae sectae errores, cum responsione ad Apologiam pro juramento fidelitatis, et Praefationem Monitoriam serenissimi Jacobi Magnae Britanniae regis*, 1613. Servière, gives a good summary of this book, one of the weightiest ever written against James, *op. cit.*, pp. 152-156. See also Prat, *Recherches*, iii, liv, xx, ch. i.

<sup>2</sup> Barbier, *Dictionnaire des Ouvrages Anonymes*, iii, 1259; Weller, *Lexicon Pseudonymorum*, 507. De Backer also ascribes this book to Bellarmine, "bien qu' en doutant."

<sup>3</sup> Reprinted in *Jacobi Gretseri Opera Omnia*, Ratisbon, 1736, vii, 1-116. Its main attempt is to prove hoc Baaliticum juramentum really a juramentum infidelitatis. He begins by proving that the faith which James professes is neither truly Christian (cap. i), nor Catholic (cap. ii), nor apostolic (cap. iii), and that the oath is really an abjuration of these (cap. vi). He proceeds to show this by asserting that a denial of the Pope's jurisdiction over the churches of England Scotland and Ireland is a denial of the Catholic faith (p. 49); likewise a denial that the Pope is Christ's vicar and Peter's successor and an assertion of James's headship in Britain. It is a similar abjuration of the Catholic faith to deny the Pope's power of coercing those who harm the Lord's flock, or to promise obedience to the King in all things, such powers of coercion including the authority to absolve subjects from their allegiance. Anyone who does these things, denies the Catholic faith, hence an oath demanding them cannot truly be said to be merely civil. He then goes at length into the origin of the oath, compares the loyalty of Catholics with the views of Knox, Buchanan, Goodman, Zwingli and others, discusses the authority of the King in spiritual matters, and asserts the paramount authority of the Pope. He also deals at great length (pp. 68-98) with James's doctrine of Antichrist as given in the *Premonition*. The summary of this answer is here given as of one fairly typical of the abler and more moderate

mother, "now in heaven." To these might be added the two books of Leonardus Lessius, *Defensio Potestatis Summi Pontificis adversus librum regis Magnae Britanniae*, Caesaraugustae, 1611; and *De Antichristo et ejus Praecursionibus Disputatio qua refutatur Praefatio Monitoria Jacobi Regis* of the same year; also the several works of the scurrilous Scioppius; *Scorpiacum*, 1612, *Collyrium*, and *Ecclesiasticus*, 1611, all aimed at James; and many others. While books were thus pouring forth against the King from Germany to Spain, in France the struggle was equally intense though possibly not so violent. Before the English oath appeared, the activity of French Jesuits, the defence of the Gallican liberties, and the quarrel of the Venetians with the Pope, had called out a considerable number of important books for and against the papal claims, which it is impossible to notice here.<sup>1</sup> But in France as everywhere else these controversies in great part converged after 1606 on the English oath, the principles contained in it, or the royal writings in its defence. Of these, the writings of five of the chief antagonists of James may be selected for brief notice: those of Pelletier (Peleterius) Coeffeteau, Père Coton, Eudaemon-Johannes, and Cardinal du Perron.

The book of Peleterius, *La Religion Catholique soustenue en tous les points de sa doctrine, contre le livre adressé aux Rois . . . par . . . Jacques I, &c.* appeared at Paris in 1610, but a more important answer was the *Responce à l'avertissement adressé par le Sérénissime Roy de la Grande Bretagne, Jacques Ier, à tous les princes et potentats de la chrestienté*<sup>2</sup> of the celebrated Nicolas Coeffeteau, a book which probably had the greater effect because of its moderation, the result of the advice of Henry IV, and of the fact of its author's being a Dominican and not a Jesuit. Its importance was recognized and it was answered by the equally celebrated French Protestant, Peter du Moulin (Molinaeus), in his *Défense de la foy catholique contenue au livre du très puissant et sérénissime Jacques I<sup>er</sup> contre la response de F. N. Coeffeteau*, which James lost no time in having translated into English.<sup>3</sup> The larger part of it consists of a defense of the definition of his faith which James had made in his *Premonition*. This book was answered by Coeffeteau in his *Apologie pour la response à l'avertissement du sérénissime roy de la Grande Bretagne*. Père Coton, confessor to the King, was in many respects the most influential Jesuit in France just before the murder of Henry IV. So influential with the King himself that it was a common saying in France that "les oreilles du roi sont bouchées de coton," and important for American history as the chief originator of the scheme of sending Jesuit missionaries to North America;<sup>4</sup> a man, as Foulis quaintly says, "of a subtil Head-peice."<sup>5</sup>

Catholic replies to James's books. Gretser makes a strong defence of Bellarmine's doctrine of the indirect power against those who deny it both Catholic and Protestant, in his *Defensio Operum Bellarmini, Opera Omnia*, ix, 604 et seq.

<sup>1</sup> Goldast has reprinted a number of the most important of these in his third volume.

<sup>2</sup> Rouen, 1610; De Backer, i, 1214-1215.

<sup>3</sup> London, 1610. See David Irving, *The Lives of the Scottish Poets*, ii, 235; Servièrre, *op. cit.*, 140-141.

<sup>4</sup> See Parkman, *The Pioneers of France in the New World*, ch. v, 276-277.

<sup>5</sup> *The History of Romish Treasons*, p. 474.



His celebrated letter to the Queen Regent acquitting his order of any complicity in the murder of the King<sup>1</sup> is not immediately connected with the question of the oath, but the book and the famous anonymous answer to it,<sup>2</sup> coming just when they did, played an important if an indirect part in the controversy.

If Coton's part in this particular controversy was indirect, the same could not be said of the activity of the next writer to be noticed, "a Jesuite," according to the author of *Anti-Coton*, "named *John l'Heureux*, but disguising his name in an Hyroglyphicall forme, calls himselfe *Andreas Eudaemon-Johannes Cydonius*."<sup>3</sup> The history of this man, who claimed to be a native of Crete, is rather obscure, but his part in the controversy was prominent. In addition to an elaborate defence of Garnet, he wrote two books directly connected with it: an attack on Casaubon, and answer to his letter to Fronto Ducaeus (Fronton du Duc); and the more important *Parallelus Torti ac Tortoris ejus L. Cicestrensis: siue Respon-sio ad Torturam Torti pro illustr<sup>mo</sup> Card. Bellarmino, Coloniae Agrippinae, 1611*. His books, as will appear later, were considered important enough to require a good deal of answering in England.

Of all French antagonists of King James, however, far the most considerable was Jacques Davy, Cardinal du Perron, one of the greatest if not the greatest orator and controversialist of France, a man of enormous memory, high mental power, and great tact; who had the further advantage of knowing both sides of the controversy as he was a convert from Protestantism. The occasion of his appearing in the lists against the King of England was the assembling of the Estates General of 1614-15, their last meeting till the fateful one of 1789. In their *cahier* the Third Estate had adopted as the first article the corresponding article of the *Cahier de Paris*, which contained the form of an oath to be sworn by officers, ecclesiastics, and others, condemning the doctrine of the right to depose, rebel against, or kill the King, as "impie, detestable, contre verité, & contre l'establissement de l'Estat de la France, que ne depend immediatement que de Dieu."<sup>4</sup> When the clergy got wind of it they at once put forth all efforts to have it suppressed, by petition to the Queen Regent,<sup>5</sup> and by appeal to the other estates not to "bring in question the authority of the Pope and the Holy See along with that of the King."<sup>6</sup> Negotiations followed which led, among other things, to the

<sup>1</sup> *Lettre declaratoire de la doctrine des Pères Jesuites . . . adressée à la Roynie Mere du Roy, Regente en France*, Paris, 1610. It was translated into English in the same year.

<sup>2</sup> *Anti-Coton, ou Refutation de la Lettre declaratoire du Pere Coton. Livre où est prouvé que les Jesuites sont coupables et autheurs du parricide execrable commis en la personne du Roy tres-Chrestien Henri IV, d'heureuse memoire*, 1610; "Translated out of the French by G. H.," London, 1611. It contains an elaborate account of the Jesuit writings in favor of tyrannicide. There were many editions and translations. See De Backer, under Coton; Krebs, *op. cit.*, 157-158; Foulis, *op. cit.*, pp. 473-476; Prat, *Recherches*, iii, liv. xviii, ch. ii. Of the other books which appeared in France about this time to defend the Gallican liberties, the most important was probably that of Richer, *De Ecclesiastica et Politica Potestate*, 1611, reprinted in Goldast, iii, 797 *et seq.* In the same volume are several others.

<sup>3</sup> English translation, 1611, p. 17. For Eudaemon-Johannes, see *Biographie Universelle*, xiii, 462.

<sup>4</sup> *Mercurie Francois*, Troisième Continuation (1614-1615), second ed., pp. 235-237. The influence of the English oath of 1606 is obvious.

<sup>5</sup> *Ibid.*, p. 237.

<sup>6</sup> *Ibid.*, p. 238.

selection by the clergy of Cardinal du Perron to set forth their views to the other two estates.<sup>1</sup> The Cardinal's oration for this purpose before the Third Estate was published and is a remarkable document, covering many phases of the great controversy, and filled with passages of fiery eloquence.<sup>2</sup> It is significant here as the occasion of one of the most important of James's political writings, for whose interpretation some consideration of this oration is necessary.

Of the three main points in the article of the Third Estate, du Perron was able to agree with the first two — that the assassination of kings is not permissible,<sup>3</sup> and, qu'en la nuë administration des choses temporelles, ils dependent immediatement de Dieu.<sup>4</sup> But with the third, he was in total disagreement — Qu' il n'y a nul cas auquel les Sujets puissent estre absous du serment de fidelité qu'ils ont faict à leurs Princes; <sup>5</sup> and it is against it that he inveighs throughout the larger part of his oration, citing at length the opinions of many councils and theologians to prove that this weapon had been and could be used against any prince who was a heretic, an infidel, or a persecutor of the Catholic faith. His chief objections to this article were four in number: first, that it would compel the people to believe and assert under anathema as a doctrine of faith and conformable to the word of God the contrary of what was held by all parties of the Catholic Church; second, that it would make it the province of laymen to judge of the faith and to pronounce one doctrine conformable to God's word and the opposite one "impie et detestable"; third, that this condemnation of the belief of all the rest of the Church as contrary to God's word, "impie, et detestable," would inevitably create a schism; and lastly, that this means proposed, instead of securing its object, the safety of the person of the King, must result rather in a return to the horrors of the civil wars.<sup>6</sup> These objections he took up in turn. For the first, he asks, if no doctor, or theologian, or jurist, council, or decree in France ever dared assert that subjects might not be absolved from allegiance to a heretic or infidel prince, how can they now without forcing and violating the consciences of men declare such to be the perpetual and universal doctrine of the Gallican Church, or require ecclesiastics to swear to it as a doctrine of faith and against its opposite as impie, perverse, et detestable; and how can they declare to be a fundamental law of the State a theory which only arose in France more than eleven centuries after that state had been established?<sup>7</sup> Under the second of these four "manifestes incon-

<sup>1</sup> *Ibid.*, p. 263.

<sup>2</sup> It was published at Paris by Antoine Estienne, the Kings printer, in 1615, a book of 111 small octavo pages with the title, *Harangue faicte de la Part de la Chambre Ecclesiastique, En celle du tiers Estat, sur l'Article du Serment, Par Monseigneur le Cardinal du Perron, Archevesque de Sens, Primat des Gaules & de Germanie, & Grand Aumosnier de France*. It is probably the third edition that I have used. Four appeared before the end of 1615. The *Harangue* was also included among the *Diverses Oeuvres* of du Perron, several editions of which appeared early in the seventeenth century. The *Harangue* is given in large part in the *Mercure Francois*, Troisième Continuation, p. 266 et seq., from which most of the quotations are taken.

<sup>3</sup> *Mercure Francois*, 3<sup>ième</sup> cont., p. 270.

<sup>4</sup> *Ibid.*, p. 271.

<sup>5</sup> *Ibid.*, pp. 272-273.

<sup>6</sup> *Ibid.*, pp. 274-275.

<sup>7</sup> *Ibid.*, pp. 289-290.



venients," the Cardinal demanded after long citations of authorities, Et voulez, non vous, mais ceux par l'inspiration desquels ces clauses se sont glissees en vostre article, que les laïques la facent jurer aux Ecclesiastiques, que les laïques exigent en matiere de Foy le serment des Ecclesiastiques, que les layques imposent les loix de Religion aux Ecclesiastiques ? O opprobre ! ô scandale ! ô porte ouverte à toutes sortes d'heresies ! Et donc nostre Foy sera sujette aux varietez & inconstances des affections des peuples qui changent de vingt-cinq ans en vingt-cinq ans ? Et donc les troupeaux guideront les bergers ? Et donc les brebis conduiront les Pasteurs ? Et donc les enfans instruiront les peres ?<sup>1</sup>

Adopt this oath, he warns the bourgeoisie, under his third objection, this oath which is modelled on that of England, and the schism which must inevitably result will not be of the Pope's making but our own. And it will be a schism not merely against the person of the Pope but against the Apostolic See and against all the rest of the body of the Church. For if the Church's communion consists in unity of faith, how can we believe and swear that the Pope and all the rest of the Church are errant to the faith and to the things that make for salvation and holders of a doctrine contrary to the word of God, impious, detestable, and heretical, without withdrawing ourselves from that communion, and what is that but to dismember the Church or to cut ourselves off from it ? The article would not only drive us into schism: it would of necessity make us heretics as well. For in condemning this doctrine as impious and detestable we must admit that the Pope is not head of the Church and Vicar of Christ but a heretic and Antichrist; and all other parts of the Church, not true parts but members of Antichrist. But if so what is to become of the Church Catholic ?<sup>2</sup> Under the Fourth objection, the Cardinal, among other things, declared that "ces deux horribles assassinats" which had occurred in France were not the result of the teachings of the Church, and asserted that the Church never condemns a prince to any punishment but a spiritual one; and that against the condemned, qu'elle abhorre toutes sortes de meurtres. He made a distinction entre les tirans d'usurpation, lesquels les loix permettent d'exterminer par toutes sortes de voyes: &, les tyrans d'administration qui sont legitimement appelez à la principauté, mais l'administrent mal. Heretical princes, persecutors of the faith and of their Catholic subjects, belong to the second class; not to the first contre lesquels seuls il est permis de conspirer par embusches occultes & clandestines; and the laws allowing such things even in their case are les loix politiques prophanes & payennes . . . & non les loix politiques Chrestiennes.<sup>3</sup>

Thus disposing of the actual effects of such an oath he turns to its origin and purpose. Its real authors are not the Third Estate, and its avowed purpose is the protection of the King, mais sous ceste couverture est caché le Schisme & le dessein de deviser l'Eglise.<sup>4</sup> This oath he likens to the monster of Horace that

<sup>1</sup> *Mercurie Francois*, 3<sup>ième</sup> cont., p. 291.

<sup>2</sup> *Ibid.*, pp. 292-294.

<sup>3</sup> *Ibid.*, pp. 296-300.

<sup>4</sup> *Ibid.*, pp. 301-302.

had the head of a beautiful woman — the pretext of the service and protection of the King; but the tail of a fish — i.e., schism and a division of religion. Et à la vérité il peut bien estre dit avoir une queue de poisson puis qu'il est venu par mer & à nage d'Angleterre. Car c'est le serment d'Angleterre tout pur, excepté que celui d'Angleterre est encore plus doux & plus modeste.<sup>1</sup> He hastens to add that he means no offence to King James to whom he applies many flattering terms. He even acquits him of evil intent by laying the blame upon his religion — Je sçay que tenant la Religion qu'il tient, il pense faire ce qu'il doit quand il essaye de mettre le Schisme & la division parmy la nostre — a method not apt to be particularly soothing. But because James has done this thing in England, because Catholics there must take the oath pour avoir permission de respirer, ou plustost souspirer, must it also be done en un Royaume Catholique? And if Catholics are found even in England willing to suffer all sorts of punishment rather than consent, shall none be found in France who do the same rather than sign and swear to an article which met les resnes de la foy entre les mains des laïques, and brings division and schism into the Church? <sup>2</sup> In the person of Queen Elizabeth of England, the interests of the State came into conflict with the claims of conscience and obliged her to remain separated from the communion of the Pope, but in France the common interest of Church and State require a preservation of the union with him.<sup>3</sup>

In answer to this oration, Miron, president of the Chamber of the Third Estate, gave in defense of the condemned article much the same reasons which James had urged in justification of the English oath. His defense, in brief, was that the object of the article was merely civil.<sup>4</sup> The outcome was that the Council forbade further discussion of the objectionable article,<sup>5</sup> and that it was left out of the *cahier* in obedience to royal command, not however, without "un grand bruit & murmure" among the Third Estate.<sup>6</sup>

The open challenge to James's favorite doctrine thus dramatically made by the Cardinal in the Estates and spread broadcast by publication of the *Harangue*, under the conditions then existing in the intellectual world, laid upon the Anglicans the burden, not to be escaped, of making an answer. And as the challenge had come in the name of the whole estate of the French clergy it was one not beneath a King to answer. James therefore again entered the controversy in his *Déclaration du sérénissime roi Jacques I, roi de la Grande-Bretagne, France et Irlande, défenseur de la foi pour le droit des rois, et indépendance de leurs couronnes*

<sup>1</sup> *Mercurius Francicus*, 3<sup>ième</sup> cont., p. 302.

<sup>4</sup> *Ibid.*, p. 320.

<sup>2</sup> *Ibid.*, p. 303.

<sup>5</sup> *Ibid.*, pp. 339-340.

<sup>3</sup> *Ibid.*, pp. 308-309.

<sup>6</sup> *Ibid.*, pp. 355-356. The echo of this struggle came in the famous *Declaratio Cleri Gallicani de Ecclesiastica Potestate* of 1682, the first article of which is an unequivocal acceptance of James's denial of papal power directe vel indirecte to depose kings or princes or release their subjects from the obedience due them. Printed in *Œuvres de Bossuet*, xxxi, 28. See Bossuet's remarkable defense of these articles, *Defensio Declarationis Conventus Cleri Gallicani*, *Œuvres*, xxxi-xxxiii, esp. xxxii, book iv, chs. 13-15, 17, 18, and 23. See also Charles Butler, *Memoirs*, ii, 220-223.



*contre la Harangue de l'illustrissime Cardinal du Perron, prononcée à la chambre du tiers-état, 1615.* It was written in French and revised as to style by du Moulin.<sup>1</sup> An English translation was made as usual and included in James's collected works,<sup>2</sup> from which it is reprinted here at page 169, the *Remonstrance for the Right of Kings*. A Latin translation was published in 1616. At his death Cardinal du Perron left the manuscript of a reply to James's *Déclaration*, which was printed in 1620 with the title *Replique à la Responce du Sérénissime Roy de la Grande-Bretagne par l'illustrissime et reverendissime Cardinal du Perron, archevesque de Sens, Primat des Gaules et de Germanie, et grand Aumosnier de France*. The manuscript of another and much longer answer, unfinished at the Cardinal's death, is included in his *Œuvres posthumes* preserved in the *Bibliothèque Nationale*.<sup>3</sup>

From the foregoing summary it must be clear what a furore James's works created in Europe. It now remains to consider briefly the efforts made in England to reply to the many Catholics antagonists whom James had thus aroused.

Among the most important of the books which appeared on this side of the controversy must be reckoned one which was not written in England, and was not aimed merely at the support of the oath. William Barclay, its author, was an orthodox Catholic, who utterly rejected the claims of the Pope to a temporal power *directe* or *indirecte*. He was a jurisconsult and a layman, a Scot who had taught law at Pont-a-Mousson in Lorraine, and at Angers. His book, the *De Potestate Papae; An & Quatenus in Reges & Principes seculares jus & imperium habeat: Guil. Barclaii I. C. Liber posthumus*,<sup>4</sup> though it was written after the enactment of the English oath, was not directly a defence of it. It took a far wider range. Its underlying principle, nevertheless, was the same as that of the oath, and its very moderation, the work of a sincere Catholic and one who had

<sup>1</sup> Feret, *Le Cardinal du Perron*, p. 320, citing du Moulin's *Advertissement* which followed the *Déclaration*.

<sup>2</sup> P. 381 *et seq.* It is referred to briefly as the *Defense*.

<sup>3</sup> Feret, *Le Cardinal du Perron*, p. 321, note 1. Of this Feret gives a summary with numerous quotations, p. 322 *et seq.* In the main it is apparently an amplification of the *Harangue*. In 1630 Lady Falkland translated part of Du Perron's *Réplique* into English. She is said also to have translated the other works of Du Perron, but they were not printed. See T. F. Henderson in *D. N. B.*, under Henry Cary, first Viscount Falkland. A Latin translation of the *Réplique* appeared in 1621.

<sup>4</sup> William Barclay died in 1608 at Angers before the book was completed. It was published in 1609 without indication of place or publisher, a fact commented upon unfavorably by Bellarmine in the preface to his answer, who says it was alleged in quibusdam codicibus to be published at Pont-a-Mousson, but this he finds to be false. Mr. T. F. Henderson (*D. N. B.*, Barclay, William) says it was published "probably at London." There is no doubt of it. John Barclay, William's son, says in the preface to Bellarmine of his *Pietas*, that he himself is responsible for its publication, and that it was published at London by Norton — "Ast ego, qui librum Guilielmi Barclaii *de Potestate Papae* nuper emisi in lucem, nomen meum, & Typographi, sed & loci ubi liber excusus est, prodere audeo, & jam tum audebam. Joannes Barclaius sum, officina Northoniana, urbs Londinum (Goldast, *Monarchia*, iii, 850). He also cites Bellarmine's own book written under the name of Tortus.

An English translation was published at London in 1611, *Of the Authoritie of the Pope whether and how farre forth he hath power and authoritie over Temporall Kings. Liber Posthumus*. Gillow makes the interesting statement that William Barclay died in 1606 and that his son published his posthumous work in 16001 i, 126-127. The book was published in French in 1611 (De Backer i, 1216-1217). The original version in Latin is reprinted in Goldast, iii, 621-687. On the book, see Krebs, *op. cit.*, pp. 149-152.

suffered nothing by the oath, made its influence on the controversy the greater. Throughout Europe this book was considered one of the most effective presentations of the argument against the temporal claims of the Pope, and its influence was considerable upon English Catholics who were already wavering. In 1611 Birkhead, the Archpriest, wrote that Sheldon's book "and Barclay's translated into English cause many to stagger about the oath."<sup>1</sup> The heresy which Barclay deplored as much as any man he believed to be due to the temporal power. Ita quicquid haereticorum in Gallia Britanniaque hodie est, id est illorum *unicum* robor, hoc temporalis potestatis miserabili calore, tanquam pestilenti ovo conceptum est & educatum.<sup>2</sup> He is not now writing in the interest of the State, though it is important, as in his *De Regno*. The safety of the Church itself demands the rejection of this pernicious doctrine. As might be expected he expressly denies the doctrine of the indirect power and singles out Bellarmine for contradiction as its main defender.<sup>3</sup> He detects the fact that the immunity of the priesthood lies at the bottom of this question, and denies it with vigor.<sup>4</sup> To hold it as Bellarmine does really creates two republics, one of kings and laymen, the other of the Pope and ecclesiastics — quo nihil adsurdius . . . dici potest.<sup>5</sup> For there is but one republic in which are two powers or magistrates one spiritual, one temporal, with never any necessity for either to infringe upon the other.<sup>6</sup> If this is true of the clergy, it is also of the Pope. And if the Pope has any power in temporals he must have received it by divine grant, for which there ought to be authority in Scripture. Christus commendando suas oves Petro, dedit ei omnem potestatem necessariam ad tuendum gregem. Atqui non dedit ei potestatem temporalem: ergo potestas temporalis non est necessaria ad tuendum gregem. Deinde progrediemur hoc modo; Absurdum est summum Pontificem, quatenus successor est B. Petri, habere plus potestatis, quam habuit ipse Petrus: at Petrus non habuit ullam potestatem temporalem in Christianos: ergo nec summus nunc Pontifex, quatenus successor ejus est.<sup>7</sup> All temporal power is left to princes, therefore all temporal punishments. Hence no Pope can depose kings or dispense with the allegiance of their subjects.<sup>8</sup> Popes may only strive by prayers and tears to bring back even an evil king to the right path.<sup>9</sup>

Barclay's theory, as James's, contains no important element not employed long before in the struggle between the Pope and the Emperor, but this book was a brief and powerful restatement of the royal and imperial position, in answer to the doctrine of the indirect power, a doctrine by which, Barclay declared, quicquid Pontifici per abnegationem directae potestatis subtractum est, id ei per obliquam & indirectam hanc imperandi viam cumulate restituitur.<sup>10</sup>

<sup>1</sup> *Dodd's Church History*, iv. Appendix, p. clxviii.

<sup>2</sup> *De Potestate Papae* (first ed.). *Epistola Dedicatoria*, addressed to the Pope himself. The *Italics* are mine.

<sup>3</sup> *Ibid.*, pp. 44-48.

<sup>4</sup> *Ibid.*, pp. 136-142.

<sup>5</sup> *Ibid.*, p. 136.

<sup>6</sup> *Ibid.*, p. 142.

<sup>7</sup> *De Potestate Papae*, pp. 197-198.

<sup>8</sup> *Ibid.*, pp. 244-245.

<sup>9</sup> *Ibid.*, pp. 251-252.

<sup>10</sup> *Ibid.*, p. 43.



Coming as it did in the very heat of the controversy over the oath there is little doubt that this book did cause many English Catholics "to stagger," and it brought out a reply from Bellarmine himself, now nearly seventy years old, his *Tractatus de Potestate summi Pontificis in rebus Temporalibus adversus Gulielmum Barclaium*, Rome, 1610.<sup>1</sup> This is a masterly and concise restatement of Bellarmine's theory of pontifical authority, hinging, of course, on the doctrine of the indirect power.<sup>2</sup> It really adds nothing of importance to his earlier statement in the *De Romano Pontifice*, but its brevity and the clearness of its argument, together with the pure and direct ecclesiastical Latin, make it the most satisfactory source of Bellarmine's theory.<sup>3</sup>

In 1611 John Barclay in answer published *Joannis Barclaii Pietas, sive Publicae pro Regibus, ac Principibus, et Privatae pro Guilielmo Barclaio Parente Vindiciae*,<sup>4</sup> a long detailed reply point by point reasserting his father's views and denying those of the Cardinal.<sup>5</sup>

Although a thorough-going acceptance of any theory which sharply separated the temporal and the spiritual was really as inimical to a supreme governor as to a supreme pontiff, James was quick to see that a defense of his oath by a Catholic who denied the Papal authority in temporals would be all the more persuasive just because it was combined with a complete acceptance of the Pope's spiritual claims. Hence he particularly sought the aid of moderate Catholics who were willing to enter the contest on his side, and a few of these he found, of whom one at least is of sufficient importance to merit some attention. These Catholics must have hated the pretensions to ecclesiastical authority of a supreme governor even more than the papal claims to a temporal one, but they saw clearly that the oath itself was a departure, even though a very slight one, from the principle of the oath of supremacy, and they hoped that it might be the beginning, as it really was, of a development which in time would secure a toleration of their faith in England. The real difference between the Jesuits and the moderates among the Catholics, was that the former hated and opposed a toleration which might later be an embarrassing precedent in the way of complete Catholic uniformity under the prince for whom they hoped and plotted; while the moderates wished above all for a toleration of their own faith and were willing to support any measure which seemed to tend however slightly in that direction. The oath was a challenge to the indirect power, but it was a challenge which, so far as it went, also gave up the spiritual power of the King. If, as James con-

<sup>1</sup> Reprinted in *Bellarmino's Works*, v, 23-95. I have used the original edition of 1610.

<sup>2</sup> I am unable to understand the statement of Professor Dunning (*A History of Political Theories from Luther to Montesquieu*, p. 130), that in this book "Bellarmine's distinction between direct and indirect authority in seculars is left aside." See *Tractatus* (1610), cap. v, esp. pp. 64-66; 197; and the extract given above, pages xxii-xxiii.

<sup>3</sup> For a discussion of it, see Krebs, *op. cit.*, pp. 152-156.

<sup>4</sup> In Goldast, iii, 847-1134 [1034].

<sup>5</sup> He challenges Bellarmine to show any passage of Scripture conferring the temporal power. Goldast, iii, 846 [should be 946]. His treatment of the indirect power is in ch. v, 841 [941] *et seq.*; of the deposing power, ch. vi, 849 [949] *et seq.*

tended, the oath was merely civil, it derogated from his own claims as supreme governor as much as from those of the Pope. Hence many Catholics who really believed it to be merely civil, and cared nothing for the temporal power, were willing to accept it. In this connection there is a significant difference even between the objections of du Perron, who mainly tried to prove the oath to be a matter of faith and therefore a breeder of schism; and the method of Bellarmine, who took his stand squarely upon the indirect power. Among the English Catholic defenders of James's policy the most important was Thomas Widdrington, an English Benedictine who wrote under the name of Roger Widdrington. He wrote many works, almost all in defence of the oath, and in one or other of them answered most of the important foreign opponents of it, Bellarmine, Gretser, Lessius, Becan, Suarez, Schulkenius, du Perron, and others; in many cases eliciting replies.

On account of his activity on the side of the King, Widdrington seems to have been in some danger from the Jesuit party, and measures were taken for his protection by the government. He also received other favors and concessions not ordinarily accorded to Catholic ecclesiastics, in return for his services.<sup>1</sup> The works of Widdrington are now very rare, and probably the most accessible is his first book, which is reprinted in Goldast's *Monarchia*,<sup>2</sup> his *Apologia Cardinalis Bellarmini pro Jure Principum*.

This, however, contains the substance of his views and may be briefly summarized as a typical statement of the position of moderate Catholics who were willing to submit to the oath as merely civil. It is a clear and comprehensive statement of the views of Catholics who opposed the temporal power, one of the most powerful arguments that appeared, answering Bellarmine's arguments for the indirect power step by step in excellent Latin and with the citation of many authorities, fully up to the level of the better known work of Barclay, and possibly more important for us because the author always has the oath in mind and applies his theory more concretely to the situation in England.

The question of the Pope's temporal power, Widdrington says, has been reopened in England on account of the oath and there are many Catholics there, who, though they hold that the Pope as Pope has no power merely temporal, *jure divino*, believe nevertheless that he does have in ordine ad bonum spirituale, supremum dominium temporale, seu potestatem disponendi de rebus temporalibus, omnium praesertim Christianorum, et consequenter Regna, atque Imperia transferendi; et Reges, ac Principes supremos Principatu privandi. Et hanc sententiam tam mordicus tenent, ut contrariam non tam sententiam quam haerensim esse arbitrentur. There are, however, many (permulti) other English Catho-

<sup>1</sup> *D. N. B.*, Widdrington, Roger; Foulis, *op. cit.*, pp. 531-532.

<sup>2</sup> Vol. iii, 688-763. The book was published in 1611, but Widdrington says it was written three years before, but hitherto not published on account of the appearance of Barclay's *De Potestate Papae* which covered much the same ground. He also mentions Bellarmine's *Tractatus*, which appeared in 1610, but says he has not yet seen it. *Admonitio ad Lectorem*, Goldast, iii, 688.



lics who declare the oath to be permissible; and still others, not few in number, who, though they deny that it can be taken with a safe conscience by any Catholics, on account of certain of its terms (*quasdam clausulas in eo insertas*), yet hold that no satisfactory proof can be shown either from Scripture, apostolic tradition, the writings of the Fathers, or theological deduction, that the Supreme Pontiff has by Christ's institution any dominion truly temporal or any power *sive directe, sive indirecte, sive absolute, sive respective ad bonum spirituale*, to despoil sovereign princes of their temporal dominions for any crime whatsoever.<sup>1</sup>

He then cites many authorities against the temporal power;<sup>2</sup> and proceeds to prove affirmatively that the temporal sword is not in the hands of the Church, but of the Commonwealth,<sup>3</sup> and that if it should be necessary for ecclesiastics ever to use that sword, they could do it non . . . *qua Ecclesiastici sunt, sed qua homines*.<sup>4</sup> If this doctrine of indirect power is to be believed, Scripture or apostolic tradition should be produced in its support. But of tradition there is none, and of Scripture, two passages alone: Matthew 16 — *Tu es Petrus*, etc., and the last chapter of St. John — *Pasce oves meas*; neither of which, however, has anything to do with temporal things, as he explains at length. Next, he takes up for his main attack Bellarmine's exposition of this indirect power, and finds resulting from it four *inconvenientes*: that it leads to tyrannicide; that it may be abused by employing it for offences not worthy of such punishment; that it is open, not merely to the Pope, but to any bishop; and that its effect will inevitably be to create disorder and suspicion.<sup>5</sup> Besides, it is not easy to say just what is meant by *bonum spirituale*, whether the good of all, or of the majority, or of particular individuals.<sup>6</sup>

He then sets out to prove by numerous citations that the Church has taught not this doctrine but passive obedience to temporal princes.<sup>7</sup>

The real core of this question, he says, lies in the determination of what punishment is properly ecclesiastical, and to what offences it can rightly be applied. No one among Catholics denies the power of the Church to punish evil doers, even Christian kings and emperors; but the whole difficulty lies in determining whether the taking away of temporal goods and the depriving a king of this temporal principality ought to be included among the punishments which can be inflicted by ecclesiastical power as such.<sup>8</sup> To prove one is by no means to prove the other. Such punishments, in fact, are secular, and may not be employed by the Church. Just as the Pope, *qua Pope*, has no right *jure divino* to punish a thief for theft or one who kills another *pro homicidio*, neither can he in *ejusmodi causis pure temporalibus Principibus Secularibus, aliisque laicis in foro exteriori quoad vim coercentem imperare, quia ejusmodi causae, et peccata non sunt fori Ecclesiastici, sed secularis*.<sup>9</sup> Bellarmine's reasoning, Widdrington

<sup>1</sup> Goldast, iii, 691.

<sup>2</sup> *Ibid.*, 691-694.

<sup>3</sup> *Ibid.*, 695-697.

<sup>4</sup> *Ibid.*, 695.

<sup>5</sup> *Ibid.*, 699.

<sup>6</sup> *Ibid.*, 700.

<sup>7</sup> *Ibid.*, 701.

<sup>8</sup> *Ibid.*, 707.

<sup>9</sup> *Ibid.*, 709.

thinks is *debilissima*, because the indirect power is really inconsistent with the separateness and immunity of the clergy upon which he himself insists. This point had been noted by many critics; Barclay, for instance, asserting that Bellarmine was not able to regain under the indirect power what he himself had surrendered by admitting the separation of spiritual and temporal jurisdiction.<sup>1</sup>

To Bellarmine's argument that the Pope may exercise a temporal power *per accidens* when the spiritual republic is endangered, Widdrington aptly replies, as Andrewes had done, but with more effect since he was a Catholic, that this was a dangerous argument, as it could be used both ways. If the Pope under his spiritual power could thus interfere in a Commonwealth, why, he asks with England evidently in mind, could an infidel king who sincerely believed that preachers of the Gospel were a danger to his realm not exclude them from it under the severest penalties? <sup>2</sup> Thus disposing of Bellarmine's general theory of the Church as a *societas perfecta* which must therefore have *potestas sufficiens in ordine ad suum finem*, Widdrington turns to the most important form of the exercise of such power, the deposing of a temporal prince, and the argument on this head is summed up in his statement: The present argument is not over the reasons for which kings may be deposed. The only question at issue is simply whether the Supreme Pontiff has authority *jure divino* to do it. To prove that in some cases princes may be deposed is not to the point. *Nam dato, sed non concesso, illicitum esse Christianis tolerare Regem haereticum, aut infidelem, si ille conetur pertrahere subditos ad suam haeresim aut infidelitatem, quae est prima propositio Cardinali Bellarmini, et ab ipso quamvis pluribus, nullo tamen valido argumento (ut mox videbimus) confirmata, quomodo tamen hinc recte deduci potest, Summum Pontificem habere auctoritatem Principes deponendi?* <sup>3</sup>

Passing from the punishment of a king to the judgment which precedes it, Widdrington would justify a denial of papal authority on much the same grounds as those asserted by Blackwell at his examination before the High Commission.<sup>4</sup> The Pope may declare generaliter what is heresy and in this his decision is binding upon all Catholics, but it is a different thing when he undertakes to determine "in particular whether this or that act, alleged to be heresy, has been committed by a King." In the first case the Pope is laying down a general rule of right reason between true and false, good and bad, applicable in all circumstances actual or speculative, and his decision must be accepted; but in the second, he is acting as a man, on evidence that is not certain, and his judgment is fallible and not binding.<sup>5</sup>

In this way Widdrington goes through Bellarmine's *Apology* point by point, but it is impossible to follow him further here. Enough has been given, however, to show the attitude of the party which he represented on the larger questions at issue, and also to demonstrate the remarkable keenness of his criticism and

<sup>1</sup> Goldast, iii, 715; *ante*, p. xlix.

<sup>2</sup> *Ibid.*, 716.

<sup>3</sup> *Ibid.*, 724.

<sup>4</sup> *Ante*, p. lix.

<sup>5</sup> Goldast, iii, 725.



force of his language.<sup>1</sup> So important was he, that Foulis says the Catholic opposition to the oath was commonly referred to as "Widdrington's Doctrine."<sup>2</sup>

Among other Catholics supporters of the oath are Richard Sheldon, the importance of whose book, *Certain General Reasons Proving the Lawfulness of the Oath of Allegiance*, London, 1611, was admitted by the Archpriest, Birkhead;<sup>3</sup> and William Warmington, who in 1612 published *A Moderate Defence of the Oath of Allegiance, wherein the Author proveth the said Oath to be most Lawful, notwithstanding the Pope's Breves*.<sup>4</sup>

To these might be added, *Jus Regis, sive De Absoluto et independenti Secularium Principum dominio et obsequio eis debito . . . Libri tres in quibus summi Pontificis Jus non esse Principes deponere aut civiliter plectere auctoritate sacra Historica et Forensi Probat Guil. Barret Catholicus Anglus J. C.*, etc., Basiliae, 1613.

Some idea of James's eagerness to enlist the aid of foreigners in the controversy, and of his methods of so doing may be gained from the inclusion in this list of one of the most remarkable characters of the time, the able but unscrupulous adventurer, Marco Antonio de Dominis, Archbishop of Spalatro, upon whom James showered English benefices in return for his attacks upon Rome.<sup>5</sup>

Much invaluable help was undoubtedly given to the cause of the King by the writings of these Catholics who supported the oath. Their arguments no doubt had greater weight with Catholics in England and elsewhere than similar views

<sup>1</sup> For a brief characterization of some of Widdrington's other books, see Servièrè, *op. cit.*, pp. 139-140, 146, 155, 156-157.

<sup>2</sup> *Op. cit.*, p. 532. Other books of Widdrington's on the oath are: *R. W. . . Responsio apologetica at Libellum cujusdam Doctoris Theologi, qui ejus Pro Jure Principum Apologiam, tanquam Fidei Catholicae . . . repugnantem . . . criminatur*, 1612; *Disputatio theologica de Juramento Fidelitatis . . . In qua potissima omnia Argumenta, quae a . . . Bellarmino, J. Gretzero, L. Lessio, M. Becano, aliisque nonnullis contra recens Fidelitatis Juramentum . . . facta sunt . . . examinantur*, 1613. This is probably his most important book on the oath itself. A brief summary of it is given by Servièrè, *op. cit.*, pp. 139-140, an unfriendly critic. In addition, he published in 1616, *A Cleare . . . confutation of the . . . Reply of T. F., who is knowne to be Mr. Thomas Fitzherbert, an English jesuite. Wherein also are confuted the chiefest objections which Dr. Schulkenius, who is commonly said to be Card. Belarmine, hath made against Widdrington's Apologie for the Right, or Soveraigntie of temporall princes*. By R. W., an English Catholike; also, *Appendix ad Disputationem theologicam de Juramento Fidelitatis, in quo omnia Argumenta, quae a F. Suarez . . . pro Potestate Papali Principes deponendi, et contra recens Fidelitatis Juramentum allata sunt . . . examinantur*, 1616; *Discussio Discussionis Decreti Magni Concilii Lateranensis, adversus L. Lessium nomine Guilhelmi Singletoni personatum, in qua omnia Argumenta, quae idemmet Lessius pro Papali Potestate Principes deponendi adducit . . . examinantur & refutantur et quaedam egregia . . . Cardinalis Peronii Artificia . . . deteguntur & refutantur*, 1618; *R. Widdrington's last reioynder to Mr. T. Fitz-Herberts Reply concerning the Oath of Allegiance and the Popes power to depose princes . . . Also many replies . . . of . . . Bellarmine in his Schulkenius, and of L. Lessius in his Singleton are confuted, and divers cunning shifts of . . . Peron are discovered*, 1619; *A New Yeares Gift for English Catholikes, or a brief and cleare Explication of the New Oath of Allegiance*. By E. I., Student in Divinitie, 1620, in English and Latin; and in the same year, *An Adjoinder to the late Catholick New Year's Gift*.

<sup>3</sup> Dodd's *Church History*, iv, Appendix, p. clxviii. Sheldon soon afterwards turned Protestant. He received many favors from the King.

<sup>4</sup> Warmington's is a notable example of the remission of the penal laws in return for the service done to the King's cause. See Foulis, *op. cit.*, p. 532.

<sup>5</sup> For the curious history of this interesting man—see *D. N. B.*, Dominis L. Marco Antonio de.

expressed by Protestants could have had. But the number of Catholic apologists for the oath was very limited, and James had to rely in the main upon the support of his own party, who in a measure made up for their lack of influence by the greater zeal, not to say violence, of their partisanship.

Long before the enactment of the oath itself this party had been laying the foundation for James's attacks on the pretensions of the later Popes by their attempts to prove that the Popes had in the later ages fulfilled the prophecy of St. John in regard to Antichrist. This had begun in the time of the Tudors<sup>1</sup> and was continued after the accession of James in such books as George Downname's *A Treatise affirming the Pope to be Antechrist*, 1603,<sup>2</sup> or Robert Abbot's *Anti-Christi Demonstratio* of the same year. James owed much to these books, and they did not come to an end with the enactment of the oath.<sup>3</sup> But the oath tended to focus the controversy even more directly upon the new phase of the old question of obedience which had been created by the papal claims as interpreted by Bellarmine and the Jesuits. Convocation made an explicit denial of all the grounds on which those claims were based, and of all the theories to which they gave rise.<sup>4</sup>

When the oath itself appeared, and the defense of it by the King in person, a considerable number of Anglican writers also enlisted not without royal encouragement in support of its principle or in defense of its author. Some of these have been mentioned already. A few others are important enough to throw some further light on the nature of the controversy and of the way it was conducted. Of those not referred to already probably none was of more consequence than Dr. John Donne. In 1610 appeared his *Pseudo-Martyr wherein out of certaine Propositions and Gradations. This conclusion is evicted. That those which are of the Romane Religion in this Kingdome, may and ought to take the Oath of Allegiance*. Isaac Walton in his life of Doctor Donne gives an account of how his book came to be written. The King, much impressed with his arguments against refusing the oath, . . . "commanded him to bestow some time in drawing the arguments into a method, and then to write his answers to them." The result was the *Pseudo-Martyr*, and so satisfactory, Walton says, that the King "persuaded Mr. Donne to enter into the ministry."<sup>5</sup>

<sup>1</sup> For example the writings of William Whitaker, one of which was published just after the oath. Whitaker died in 1695. The similar views of Wycliffe are well known.

<sup>2</sup> It was answered in 1613 in a book written by Michael Christopherson, priest.

<sup>3</sup> For example, Thomas Brightman's *Antichristum Pontificiorum monstrum fictitium esse* which appeared in 1610.

<sup>4</sup> See *Bishop Overall's Convocation Book*, book i, Canons 16, 18, 25, 26, 27, 30, 31, 33 and 34. They were an extension to meet the new circumstances of the principle of the Homily *Against Disobedience and Wilful Rebellion of 1562*. See also book ii, ch. x, and Canon 9, with Overall's comments. The canons in book ii, however, were probably never adopted.

<sup>5</sup> Wordsworth's *Ecclesiastical Biography*, fourth ed., iii, 652-653. Mr. Edmund Gosse, in his life of Dr. Donne, i, 246-247, seems to question the accuracy of Walton's statement, but without any very convincing reason. See his whole account of the *Pseudo-Martyr*, i, 245-254; also Augustus Jessopp, *John Donne*, p. 69 et seq.



The attacks of Eudaemon-Johannes upon Bishop Andrewes, referred to above,<sup>1</sup> the reply of Bellarmine himself to Andrewes's arguments, and the contributions of other writers on the Papal side, also brought out a number of English books, — chiefly in defense of Andrewes, some of which have been noticed.<sup>2</sup> Others were the *Increpatio Andreae Eudemono-Johannis Jesuitae, de infami Parallelo, et renovata assertio Torturae Torti pro clarissimo domino atque antistite Elieno*, 1612, of Samuel Collins; and the same author's *Epphata to F. T. or, the defence of . . . the lord Bishop of Elie . . . concerning his answer to Cardinall Bellarmines Apologie*, 1617. The latter was an answer to Thomas Fitzherbert's *Confutation of certain Absurdities, Falsities, and Follies, uttered by M. D. Andrews in his Answer to Cardinall Bellarmines Apology*, 1613, to which Fitzherbert in turn replied in *The Obmutesce of F. T. to the Epphata of D. Collins*. Collins's *Epphata* was dedicated to the King and undertaken at his command. Its appearance in 1617, the same year that its author obtained his regius professorship at Cambridge, is hardly a mere coincidence.

To these might be added the *De Potestate Papae in rebus temporalibus sive in regibus deponendis usurpata adv. Robertum Cardinalem Bellarminum libri duo*, 1614, of John Buckeridge, then bishop of Rochester, and a man high in James's favor; and the contributions of Robert Burhill to the controversy. In addition to his first defense of Andrewes's *Tortura Torti*, noticed above,<sup>3</sup> Burhill published in 1613 *De Potestate regia et Usurpatione papali pro Tortura Torti contra Parallellum Andr. Eudaemon*, and *Assertio pro Jure regio contra Martini Becani Jesuitae Controversiam Anglicanam*.

As early as 1610, John Gordon, dean of Salisbury, entered the struggle, a man who enjoyed the King's favor and repaid it by literary support of some of James's favorite projects, notably the union of England and Scotland. His first contribution to the controversy bore the title *Anti-torto-Bellarminus, sive refutatio Calumniarum mendaciorum, et Imposturarum Laico-Cardinalis Bellarmini contra jura omnium regum et sinceram illibitamque famam Serenis. Principis Jacobi*, etc. He returned to it again in 1612 with his *Anti-bellarmino-tortor, sive Tortus Retortus*.

But of all the Protestant supporters of the King's contention against the Pope, the one whose reputation for learning was highest, whose arguments had probably the greatest weight on the Continent, was Isaac Casaubon. Since the death of J. J. Scaliger he was recognized as the first scholar of Europe, and like Scaliger he was a Protestant. The death of Henry IV made Paris a place none too comfortable for a such a man, and James in his search for apologists was able to induce him to come to England to his support. The patent for Casaubon's pension shows that he was asked to come not merely on account of his reputation: he was expected to render valuable service in return for his £300, the nature of which appears in his writings. He had been invited "here to make his abroad;

<sup>1</sup> P. lxvi.

<sup>2</sup> P. lxiii.

<sup>3</sup> *Ibid.*

and to be used by us as we shall see cause for the service of the church.”<sup>1</sup> The story of how he was “used” in this controversy, of the concerted efforts of the opposite party to answer his arguments or discredit him personally, and of the measures taken in England for his defense, has been told in the model biography of Casaubon by Mark Pattison so much more fully and so much better than I can tell it here that the best service I can render students of the political thought of that time is to refer them to that book as the best account of these things, and in fact, the best statement in English of the general conditions in intellectual Europe which made this whole controversy what it was.<sup>2</sup>

The intellectual war which I have been endeavoring to trace was at its height from 1606 to 1620. It did not end with the latter date, but all the important lines in which political thought was to flow were indicated by that time. It is true that the controversy broke out again with something of its old violence after the Restoration; and continued until the Revolution, when many of the political principles of the Stuarts and their time disappeared with the dynasty itself.<sup>3</sup> Religious uniformity with the slight concessions granted under the oath was a policy not originated by the Stuarts, but one which lasted with one interruption till their downfall, when it was superseded by the qualified toleration of the Toleration Act. The Oath of 1606 was a very slight advance beyond Elizabeth’s policy of a very limited “tolerance for a consideration,”<sup>4</sup> but slight as it was it does mark an important stage in that development in which the year 1689 stands out with such prominence. As Dr. Figgis says, “Only because neither party could subdue, exterminate, or banish the other was toleration the result of the Revolution of 1688.”<sup>5</sup>

In the period between 1603 and 1625 these things were still uncertain. It was by no means clear yet that some such fate as this might not be in store for the Catholic party in England, and at the same time one branch of that party itself had not yet given up hope that the tables might be completely turned after all, and that the sufferers under such a subjugation, extermination, or banishment would be their enemies and not themselves.

<sup>1</sup> *Isaac Casaubon*, by Mark Pattison, pp. 282–283, quoted from Rymer’s *Foedera*, xvi, 710 (London ed.).

<sup>2</sup> See particularly chs. v–ix, but ch. iv is almost equally important, and the whole book is useful.

Casaubon’s contributions to the controversy were mainly in the form of letters, but they were sometimes letters only in form. His long communications to Fronto Ducaeus (Fronton du Duc) and du Perron are really elaborate defenses of the English position as long as many of the books. In fact it was intended that they should be separately published in book form, and they were so published. The most important is the letter to Fronto Ducaeus. It covers almost all parts of the controversy in an able and moderate defense of James and of the oath, and Casaubon said afterward that there was nothing in it which the King had not seen. (*Epist.*, p. 841). The letter to the Cardinal is almost wholly an attempt to prove James’s orthodoxy, the material for which was supplied by the King himself — “la pièce est de sa majesté.” (Pattison, *Isaac Casaubon*, p. 308, note 2). The *Epistolae* of Casaubon have been thrice published. I have used the second edition, 1656. The letter of 1611 to Fronto Ducaeus is number 624 in that collection, pp. 705–798; for the letter to Cardinal du Perron, see pp. 899–936 (no. 710).

<sup>3</sup> I am here using the term Revolution as including the Act of Settlement of 1701.

<sup>4</sup> Figgis, *From Gerson to Grotius*, p. 115.

<sup>5</sup> *From Gerson to Grotius*, p. 142.



The few years of James's reign remaining after 1620 are important for political history but for political theory they offer little that is new. The battle of the White Hill marked the transfer of the struggle from the sphere of the intellectual so that of the physical; and it is not laws alone that inter arma silent. But in the years that preceded 1620 the intellectual struggle between the Protestant Union and the Catholic League had been intense, and in it England had taken a larger place than she had ever had in matters of general European concern since the beginning of modern times. That important place, she owed to her peculiar position as the great protector of Protestantism. When, after 1620, the bitter contest between religions in Europe passed from words to arms, James played a sorry part as protector or leader. His forte was words not acts. But in the earlier part of the struggle there was no more conspicuous champion than he, no more important opponent of the principles upon which the Counter-Reformation rested and the wars of religion were to be fought. He owed this eminence, of course, more to his office than to his ability. Not that his writings were in themselves negligible: they were by no means so. We have no way of knowing how much of them is due to the King's own undoubted controversial ability, and how much was contributed by others without hope of recognition, but these writings as they stand would probably not have passed without notice even had they been anonymous. We may be equally sure, however, that without the authorship of a king, they would hardly have elicited replies from such opponents as du Perron and Bellarmine.

## APPENDIX A

### THE TUDOR LITERATURE ON CHURCH AND STATE

The literature of the early part of this controversy is of far greater importance for the history of political thought than is generally recognized if we may judge from the attention it has received from the historians. The personalities, and the prevailing practice of replying to an opponent's arguments, section by section and almost line by line, oftentimes for some hundreds of pages, are not encouraging to the impatient modern reader. *The Obedience of a Christen Man* by William Tyndale must be considered one of the earliest books dealing with this fundamental problem. It is, of course, anti-papal and urges an obedience to kingly authority that would have satisfied a non-juror a century and a half later. (*The Whole Workes of W. Tyndall, John Frith, and Doct. Barnes*, p. 97 seq.) His view of the relations of Church and State with which we are now immediately concerned is summed up in the statement, "There is no power but of God (by power understand the auctoritie of kynges and princes). The powers that be, are ordayned of God. whoseouer therefore resisteth power, resisteth god: yea though he be Pope, Byshoppe, Monke or Fryer" (p. 111). In 1529 Rastell published Sir Thomas More's *Dyalogue* in which the author makes a violent attack on the Protestants, defending the Church's practice in regard to images, prayers to saints, etc. Among the men attacked was Tyndale, and he replied in 1530 in his *Aunswere unto Sir Thomas Mores Dialogue* (*Works*, p. 247 et seq.). For our purpose this answer is mainly significant on account of his attack on the Pope as Antichrist (p. 289 et seq.), a subject which became so important in the later controversy between the King and the Pope. Another important anti-papal work of Tyndale's was his *Practice of Papisticall Prelates*, published also in 1530. In 1531 Berthelet printed *The Newe Addicions, treating most specially of the Power of the Parlyament, concernynge the Spiritualitie, and the Spiritual Jurisdiction*. This is attributed to Saint German and is reprinted in the modern editions of the *Doctor and Student*, as *Additions to the Second Dialogue*. It is legal rather than political. There are several other legal works of this kind dating from this period not noticed here. They were often printed several times by different printers. More important than these was the anonymous and undated book published by Robert Redman, probably between 1530 and 1533 entitled *A Treatise Concernynge the division betwene the spirytualtie and temporalitie*, of which a copy exists in the British Museum Library. It also is usually attributed to Christopher Saint German, the author of the famous legal dialogue of the *Doctor and Student*. It is one of the most important early English books on the division



of secular and ecclesiastical jurisdiction. The seventh chapter, for example, is a detailed refutation based on the precedents of English law, of the claim of ecclesiastical courts to apply the oath *Ex Officio* in the detection of heresy, interesting in view of the later use of this means under royal authority by the High Commission. The book is important also, because it is in answer to it that Sir Thomas More wrote his *Apology of Syr Thomas More Knight*, published in 1533, in which he defends the ecclesiastical jurisdiction, and insists that the heretical doctrines of Tyndale, Saint German, and others are urged in the interests of heresy and not of regal power, and that they are more dangerous to the state than the claims of the Church. He also answers in detail the objections to the Oath *Ex Officio*. (*The workes of Sir Thomas More Knyght . . . wrytten by him in the Englysh tonge*, London, 1557, p. 845 *et seq.*) This brought out another anonymous reply from Saint German in the same year entitled *Salem and Bizance (A Dialogue betwixte two Englyshe men, whereof one was called Salem and the other Bizance)* printed by Berthelet, Salem (Jerusalem), asserting the claims of the Church, and Bizance (Byzantium) those of the State. Chapter XV takes up again the subject of the Oath *Ex Officio*. More answered at once in his *Debellacyon of Salem and Bizance*, printed by W. Rastell in 1533 (*English Works*, p. 929 *et seq.*) It is a long answer, point by point, of Saint German's book and abounds in personalities and abuse.

These are among the most important of the early books on this great controversy, but others had been busy also in the meantime. In 1533 appeared the *Oratio quae docet hortatur admonet omnes potissimum Anglos regiae dignitati cum primis ut obediant*, etc., written by Richard Sampson, successively bishop of Chichester, and of Coventry and Litchfield. The purpose of this book is clear enough from its title, but its chief importance probably lies in the fact that the *De Unitate Ecclesiae* of Cardinal Pole was in large part an answer to it. Another attack on papal jurisdiction was published by Berthelet in 1534, Thomas Starkey's *Exhortation to Christian Unity* whose sub-title indicates its tenor — *A Treatise against the Papal Supremacy*. Berthelet also brought out in the same year another remarkable little book on the limits of ecclesiastical authority, *Opus Eximium de Vera Differentia Regiae Potestatis et Ecclesiasticae, et quae sit ipsa Veritas ac Virtus utriusque*. This book is attributed to Edward Fox, Bishop of Hereford. A second edition appeared in 1538, and an English translation by Henry, Baron Stafford in 1548. It is a very concise and able exposition of the royal position and may be worthy of a brief examination here. It is reprinted in Goldast (vol. iii, 22-45). The plan of the author is set forth at the end of the preface (p. 24), "Itaque primum investigare conabimur atque expendere, quomodo potestas ecclesiastica, ut hodie vendicatur, jure divino non innitatur. Secundo, quemadmodum obtineat de jure divino. Tertio, qua modestia usi sint ea potestate Pontifices boni. Quarto, quatenus propria sit Regum potestas illa ecclesiastica, quae sic hodie appellatur. On this basis the author divides his book into four parts. Part one is taken up with a refutation, from Scripture and the

Fathers, of the papal claim derived from Matthew XVI, *Tu es Petrus*, etc., to a power of deposing kings and absolving their subjects from the allegiance due them (pp. 24-27). In part II he proceeds to prove that the same authorities had conferred upon the Apostles and their successors *potestatem ecclesiasticam*, but, he says, *dominium negant; tribuunt auctoritatem, non jurisdictionem*, to admonish, exhort, console, entreat, teach, preach, administer the sacraments, etc. *Leges autem, poenae, judicia, cohortiones, sententia et caetera hujusmodi* pertain to Emperors, Kings, and other powers (p. 30). Hence, he concludes, *constat Canones necessitate neminem obligare ut jam vim suam non obtineant ex auctoritate statuentis Pontificis canonica jura (quae vocantur,) sed recipientis populi voluntate*. The people are therefore not bound sub poena peccati mortalis to receive these canons, nor has the Pope *auctoritatem statuendi canones* with any such sanction. The author proceeds to show that the Gallic and Anglican churches have in fact rejected some of these papal laws. *Qua certe ratione apparet non aliud quam regulas esse Canones, qui vocantur, quae populus prout admiserit, et approbarit, aut rejecerit, its demum locum solent obtinere: Nam qua ratione aliquae reiiciuntur, etiam omnes possunt contemni* (p. 31): He then shows at length how by a long process of gradual aggression, aided by the simplicity of princes themselves, this usurped power had been built up by the Popes, and brings his Part II to an end with a rejection of this illegal authority. The author's third part is short and of less importance; but Part IV, which deals with regal power in England is of greater significance. Kingship is the form of government dictated by nature and approved by divine law revealed in the Scriptures (p. 34). This is proved by citations (pp. 35-37). In addition to the Bible, quotations are given from the laws of Canute, Edgar, Athelstan and others, from the letters of William the Conqueror, from the *Constitutions of Clarendon* and from other sources, to prove the English king's lack of dependence upon the Pope (pp. 39-44). The author sees clearly enough that the crux of the whole controversy lies in the question of the immunity of the clergy. He adduces the statement of St. Paul — *Omnis anima potestatibus supereminentibus [Vulg. sublimioribus] subdita sit* — qui mirum in modum confirmat Regiam et civilem potestatem, cui omnes subesse jubet; neque Petrum excipit, neque Paulum, nullum Sacerdotem, nullum Episcopum, non Cardinalem, non Patriarcham, non Papam, denique neminem prorsus, nisi si quis sibi damnationem acquirere velit (p. 37).

This is, after all, the real question on which a great part of the subsequent controversy turned. For the doctrine of the immunity of the clergy was the starting point of Bellarmine's theory of the indirect power. It was to defend this immunity that he accepted a division of the temporal and the spiritual by excluding temporal rulers from all interference with spiritual affairs. He could not do this without admitting that bishops were likewise excluded from all secular jurisdiction *directe*, but he saved the ecclesiastical and papal authority by his reservation of a right to interfere *indirecte*, and *ad finem spiritualem*. Of this whole theory,



the immunity of the clergy is the core. There are many references to it in Bellarmine's works (See, e.g., *De Clericis*, cap. xxviii, *Opera*, ii, 160; *Responsio*, *Opera*, v, 187; *Apologia*, *Ibid.*, pp. 113, 141-142, 154). The *De Vera Differentia* is noteworthy for its clear recognition of the importance of this point in the controversy, and for its insistence on the principle that there is no jurisdiction, be it temporal or spiritual, into which the King's power does not rightfully extend. This is the very centre and heart of the Anglican position. It was admitted even by Knox. "Neither Christ, neither his Apostles, hath given any assurance of this immunitie and priviledge, which men of Church (as they wilbe termed) do this day claime. Yea, it was a thing unknowen to the primitive Church many years after the daies of the Apostles." (*Apellation, Workes*, iv, 511). For Knox this implied no separation of powers. It is clear from many passages in his various writings that the King can and ought to have authority in spiritual matters. But he must exercise it on behalf only of the truth. If he do otherwise his subjects should remove him. The later Presbyterians differed from the papal party in their view of the priesthood, hence for them the clergy were never as a class personally exempt entirely from secular law, but they did come to hold the view that a sharp line existed between spiritual and temporal affairs and that the power of the prince could not *jure divino* extend beyond the second of these. The Anglican view (if it may be thus referred to by anticipation) is not so clear. Convocation several times showed a tendency to acknowledge the existence of this division. See for example the Articles of Religion of 1562, Article 37 (Sparrow's *Collections*, p. 105). For the earlier opposition to the first use of the title "Supreme Head," see Wilkins, *Concilia*, iii, 724 *et seq.* See also the speech of Nicholas Heath, Archbishop of York, on Elizabeth's Act of Supremacy, *Parliamentary History*, i, column 643 *et seq.* Heath was a Catholic. But the activity of the High Commission can be defended and explained only on the theory that no such division exists between the spiritual and the temporal, and its absence is the basis of the practice and much of the theory of the bishops of Elizabeth and James I. (See, e.g., *Bishop Overall's Convocation Book*, Book I, canons 18, 20, 21.) Andrewes shrewdly remarked, "Si indirecte habet potestatem temporalem Papa, quidni et Principes per eundem ductum habeant et ipsi indirecte quoque spiritualem, ut et illis incidenter agere cum Papa liceat?" *Tortura Torti*, p. 27 (p. 36 of reprint). The views of anti-Jesuit Catholics like Widdrington or William Barclay could be thus summed up in the words of the latter: Clericos . . . per totum orbem, quocunque ordine vel gradu sint, non esse adhuc ullo modo exemptos et liberatos a potestate temporali Principum secularium in quorum regnis et regionibus vitam degunt, sed perinde ac caeteri cives iis subjectos esse in omnibus, quae ad politicam et temporalem administrationem et jurisdictionem pertinent. (*De Potestate Papae*, pp. 265-266.) In short, they accept the Presbyterian theory of the two kingdoms, though their position was the harder to defend because they held the Catholic doctrine of the nature of priestly authority.

As Tunstall put it in 1531, the supreme headship of the Church was *propositio multiplex* to which no simple answer could be given (Wilkins, *Concilia*, iii, 745), a *propositio* upon which — to judge from recent ecclesiastical cases before the Judicial Committee of the Privy Council — the judges and ecclesiastics would probably not be in agreement to this day. But without attempting to define it, one may safely say that in the sixteenth century the power exercised under it was by no means confined to the field we designate as merely temporal. Much light is thrown on this general question by the masterly paper by Dr. Figgis, entitled *Respublica Christiana*, reprinted as Appendix I in his *Churches in the Modern State*.

This digression was provoked by the questions brought up in the *De Vera Differentia*, and that little book was itself summarized because it is brief and yet a good example of the method employed at that time in this controversy. I may now return to a brief consideration of the development of these ideas in the years following. Soon after the Act of Supremacy Stephen Gardiner, Bishop of Winchester, entered the controversy on the royal side in his *De Vera Obedientia Oratio* (printed in Goldast's *Monarchia*, i, pp. 716-733), in which he sets out to prove among other things that the Roman pontiff has no imperium over other churches, and that a Christian king, prince, or magistrate ought to be *suae Ecclesiae Supremum in terris caput*. It is a very able and important book. A short summary of its contents is given in Figgis's *Divine Right of King's*, ed. 2, pp. 94-96. Another book on this side, published by Berthelet in 1538, is *A Treatise, proving by the Kinges Lawes, that the Byshops of Rome had never ryght to any Supremacie within this Realme*.

In 1546, appeared the *De Supremo et Absoluto Regis Imperio Liber Unus* of John Bekinsau (reprinted in Goldast, i, 733-755), which upholds the prince's ecclesiastical jurisdiction mainly on the authority of Scripture and the Fathers.

Meanwhile, in addition to Sir Thomas More, Cardinal Pole had come to the defense of the Papacy against these attacks. (*Reginaldi Poli, Cardinalis Britannii, Ad Henricum Octavum Britanniae Regem, Pro Ecclesiasticae Unitatis Defensione, Libri Quatuor*, Ingoldstadt, 1587, first published probably in 1536). His book combats the claims of the upholders of secular authority, particularly Sampson, but as its name indicates, it is addressed directly to Henry himself and has a distinctly personal tone. With sorrow but also with a good deal of bitterness Pole attacks Henry and his ecclesiastical policy as against Scripture and the law of the Church — *Dico igitur, dico hanc abs te injuriam Ecclesiae inferri, quae haud scio an major potuerit, quod suum illi caput in terris auferes, cum Pontificem Romanum unicum in terris Ecclesiae caput, et Christi Vicarium negas* (p. 12).

This question of jurisdiction which had thus been raised by Henry was revived by Elizabeth's Act of Supremacy, and particularly by the oath required in it of ecclesiastics. While the whole controversy between England and Rome was



touched upon, for example, in the bitter exchanges between Bishop Jewel and Thomas Harding, the political side of the struggle is mainly concentrated on the oath of supremacy. Among the most important of the writings brought out by this quarrel was the book of John Feckenham, last abbot of Westminster, *The Declaration of Such Scruples and Stays of Conscience touching the Oath of Supremacie as Mr. J. F. by writing did deliver unto the Lord Bishop of Winchester, with his Resolution made thereupon*, etc., London, 1565. This was answered by Robert Horne, Bishop of Winchester, an extreme Protestant, in his *Answer to Feckenham's Scruples and Staies of Conscience touching the Oath of Supremacie*, 1566. This, in turn, was replied to by Thomas Stapleton, in a long and elaborate statement of the whole controversy and of the arguments against the oath, probably the most valuable book on this part of the controversy — *A Counterblast to M. Hornes Vayne Blaste Against M. Fekenham, Wherein is set forth A ful Reply to M. Hornes Answer, and to every part thereof made, against the Declaration of my L. Abbat of Westminster, M. Fekenham, touching, The Othe of the Supremacy*. Louvain, 1567. It is somewhat a matter of dispute whether the substance of this book is the work of Feckenham, of Nicholas Harpsfield, or of Stapleton himself, but in any case it is the most elaborate and important of the works against the oath. This partial list might close with Francis Bunny's *A Survey of the Pope's Supremacie*, an answer to Bellarmine which first appeared in 1590.

The decrees of the Council of Trent and the Papal bull deposing Elizabeth in 1570, as we have seen, seemed to close the door to a reconciliation between the Papacy and England which had always been a possibility before, and henceforth the Anglicans are to the Pope not merely heretics but schismatics, while the English Catholics are to Elizabeth sectaries of a particularly dangerous kind.

By the activity of the Jesuits and of the Spanish monarchy this question of jurisdiction is now rapidly shifted to the field of action as well as of thought, and the matter can therefore be better treated in the text than here.

## APPENDIX B

### COWELL'S *INTERPRETER*

Cowell's *Interpreter* was published at Cambridge in 1607. In 1610, during the struggle with the King over the matter of supply, the Commons took notice of the book and objected to the author's views of royal power as expressed in his definitions of Subsidy, King, Parliament, and Prerogative; "on all of which words the said Dr. Cowell had so unadvisedly enlarged himself." Conferences had been held by Lords and Commons on this subject when proceedings were stopped by the Lord Treasurer's announcement to the Lords that the King had condemned the book and would take action himself. James's proclamation against the book is printed in the preface to the edition of the *Interpreter* published at London in 1708. It is significant that the second edition (London, 1637) contains all the "offensive" definitions unchanged, and this was made one of the charges against Laud at his trial (*History of the Troubles and Tryal*), pp. 229, 235-236. They were altered in subsequent editions and new material was added. The number of editions proves the usefulness of the book: it was one of the best law dictionaries of its day and is still valuable. The objectionable definitions from the earlier editions are conveniently given in Prothero's *Statutes and Constitutional Documents*, 2d ed., pp. 409-411 with unavoidable, but unfortunate omissions.

Though the brunt of Parliament's objection to this book ostensibly fell upon the definition of subsidy and of King, Parliament, and Prerogative, there is reason to think there was more in the background. Arthur Wilson, in his *History of James I*, says that the common lawyers were irritated by some expressions of James "that fell from him publickly at his dinner, in derogation of the *Common Law*, extolling highly the *Civil Law* before it; and approving a Book lately written by *Doctor Cowell*, a Civilian, against it: Which nettled our great *Lawyers*, that had not some of them been raised so high, that they could not with that *Court-gag* look downwards, it had bred a contest." pp. 45-46. Some probability is given to this by James's words in his speech to Parliament a few days after the debates in Parliament (March 21, 1609-10), in which he cites his censure of the book in disproof of the impression which he says is abroad "that I would haue wished the Ciuill Law to haue bene put in place of the Common Law for gouernment of this people," a complaint which he says "was a part of the occasion of this incident." His elaborate explanation and defense of the Civil Law in the same speech (*Works*, p. 532 *et seq.*, *post*, p. 310), hardly seem called for except



on some such supposition as this. Fuller's account of Cowell (*Worthies*, i, 420) is more than consistent with this view. At this time, he says, "the contest was heightened betwixt the civilians and common lawyers, Cowel being the champion of the former, whom king James countenanced as far as he could with conveniency." He tells us also that Coke "was pleased in derision to call him Doctor *Cow-heel*." If we remember how really serious the assault was upon the common law, and if we duly consider that the King was in more than secret sympathy with it, these statements seem not improbable. The *Articuli Cleri*, to which Cowell no doubt contributed, were a real menace to the jurisdiction of the courts of common law, and they and the Canons of 1606 must be considered together. The common law was on its defence, and it is quite possible, as has been hinted, that Cowell's article on Littleton had as much to do with this quarrel as his definition of subsidy. The debates in the Commons in 1610 leave little doubt that Parliament's attack on the royalist doctrines was made as much in the interests of the common law as of the liberty of the subject. It may not be, it cannot be, without considerable significance for the history of law and of political thought that the theories of a civilian should stir up so much strife in England just at this time. Dr. Cowell published another book in 1605 entitled *Institutiones Juris Anglicani, Ad Methodum et Seriem Institutionum Imperialium compositae & digestae*, the only attempt to do this, so far as I know — and a very able one — between the Middle Ages and 1883. The edition I have used was published at Oxford in 1664. Cf. Sir George Mackenzie's *Institutions of the Law of Scotland*, which also follow the general order of Justinian's *Institutes*. This earlier book of Dr. Cowell's was no doubt in the minds of the Parliament men when they made their outcry against the *Interpreter*. In book i, title 2, section 5, Dr. Cowell, in discussing Parliamentary legislation, says, in hoc tamen Rex Anglorum legibus est superior, quod privilegia pro arbitrio suo, dummodo tertio non injuriosa personis singulis, vel etiam mun[i]cipiis aut collegiis concedere possit. In quibus etiam si dubitationes aliquae oriantur, aliquorum opinione ipse solus earum interpretandarum potestatem habet, licet alii instituariis quoque regiis hanc potestatem adscribant, ut chartas regias juxta juris regulas explicare possint. This important book and its views have not been sufficiently considered by historians. James approved of them and the Commons as strongly disapproved, but the statements of the *Interpreter* offered a better point of attack. On the general topic of this note see in addition to the references above, *Parliamentary History* i, 1122 et seq.; *Parliamentary Debates* in 1610 (*Camden Society*), pp. 19, 22-25; The Journals of the Lords, and of the Commons; *The Interpreter*, editions of 1607 or 1637, and the preface by the editor of the edition of 1708; Roger Coke's *Detection* (1697), pp. 59-60; Maitland, *English Law and the Renaissance*; Gardiner, *History of England*, ii, 66-68; Lucy Aikin's, *Memoirs of the Court of James I*, i, 290-291; Usher, *The Reconstruction of the English Church*, i, book ii, chs. iii-v, ii, book iii,

chs. ii, ix-xi. This valuable account though possibly slightly over hostile to the extravagance of the demands of the common lawyers, indicates better than any other I know the fundamental nature and the seriousness of this struggle for jurisdiction. The *Articuli Cleri* are reprinted in Coke's *Institutes*, 2d part, p. 601 *et seq.* See also in 12 and 13 Coke's *Reports* the many cases involving the prerogative, especially Part xii, pp. 58, 63, 65, 72, 76, 109, 112; Part xiii, pp. 12, 30, 37, 58.



## APPENDIX C

### JAMES AND THE PURITANS

It is evident from James's writings that the root of his inveterate hatred of Puritans was really political not religious. His own training and convictions in matters purely doctrinal were not essentially different from those of Doctor John Reynolds, and even in questions of ceremonial he would probably, in the beginning, have preferred a less formal order of worship than any "evil-said mass in English." Neither had he any of the later high Anglican views of the divine origin of episcopacy. But he did hate Puritans above any other religious party in either of his kingdoms and his hatred was of long standing. He had learned long before he came to England that their political doctrines were incompatible with his own high views of the spiritual powers of "God's Lieutenant." It was as King, not as Christian that he feared and disliked the opinions of Puritan and Jesuit alike. "Popularity" and "parity" as held by the one were the same to him as popularity and popery advocated by the other, and they were hateful in each because they were equally fatal to his most cherished authority as "supreme governor." In this respect at least presbyter was but "priest writ large." His real opinion was never better stated than in his own aphorism at the Hampton Court Conference, "No Bishop no King." "I have learned," he says, "of *what cut* they have been, who, preaching before me, since my coming into *England* passed over, with silence, my being *Supreme Governour in causes Ecclesiasticall.*" "If you aime at a Scottish Presbytery, it agreeth as well with Monarchy, as God and the Devill." "If this be all your Party hath to say, I will make them conforme themselves, or else I will *harrie them* out of the Land, or else doe worse." (Fuller, *Church History*, 1655, book x, pp. 18-19). This opinion, though confirmed since his coming into England had been formed in his earlier struggles with the Scottish Lords of the Congregation. As early as 1599 he had warned his son against the Puritans — "uerie pestes in the Church and Common-weale" (*Basilikon Doron, Works*, pp. 160-161, *post* p. 24) and against the "preposterous humilitie of one of the proud Puritanes, claiming to their Paritie, and crying, Wee are all but vile wormes, and yet, will iudge and giue law to their King, but will be iudged nor controlled by none." (*Ibid.*, *Works*, p. 175, *post*, p. 38.) "Surely," he exclaims, "there is more pride vnder such a ones blacke bonnet, then under *Alexander* the great his Diademe" (*ibid.*). He urges Henry to keep a watchful eye on these preachers "that they vague not from their text in the Pulpit." "And if euer ye would haue peace in your land, suffer them not to meddle in that place with the estate or policie; but punish seuerely the first that

presumeth to it." Reasoning with them will not be effectual — "I haue ouer-much surfeited them with that" [It may well be believed.] "and it is not their fashion to yeeld." Therefore, he says, "suffer no conuentions nor meetings among Church-men, but by your knowledge and permission." (*Ibid.*, *Works*, p. 175, *post*, p. 39). In the preface to the published work, James, in fear for his succession, lamely tries to allay the hostility aroused among the powerful Presbyterian party in England, by the disingenuous statement that these remarks were originally meant to apply only to "that vile sect amongst the Anabaptists, called the Family of loue" and to a few other "brain-sicke and headie Preachers" such as Brown and Penry (*ibid.*, *Works*, pp. 142 *et seq.*, *post*, p. 6), but it is evident enough that they included all believers in parity. *— stated by James*

In his speech to his first English Parliament, James divides the people of England into three classes on the basis of their faith, those of the true religion, Papists, and "a sect rather than a Religion . . . the Puritanes and Nouelists." (Speech of 1603, *Works*, p. 490, *post*, p. 274.) It may be suspected that even the "heresy" of Vorstius was hateful largely because of its author's belief in "parity" (*Declaration against Vorstius*, *Works*, p. 370); and James leaves us in no doubt that the common offence of Jesuits and Puritans was a political one. "Jesuits are nothing but Puritan-papists." (*Monitory Preface*, *Works*, pp. 305-306, *post*, p. 126.) The King's common objection to "a Scottish Presbytery" and to "a visible monarch" in the Church (*ibid.*, *Works*, p. 306, *post*, pp. 126-127) arose from his clear conviction that neither would brook a "supreme governor." And so in 1616 he urges his justices of assize not to let "the Church nor Churchmen bee disgraced in your Charges, nor Papists nor Puritanes countenanced." (*Works*, p. 569, *post*, p. 344.)

A tendency toward the end of James's life to incline in the direction of the doctrine as well as the policy of the English Church may possibly be seen in one of the last of James's writings, in which he warns against "letting slippe the hold of the true Church," and trusting to the "priuate spirit of Reformation, according to our *Puritans* doctrine." By which, he says, "it is easie to fall and slide by degrees into the *Chaos*, filthy sinke and *farrago* of all horrible heresies, whereof hell is the just reward." (*A Meditation upon the Lords Prayer*, *Works*, p. 577.) This and the *Paterne for a Kings Inauguration* were printed in 1620 and included at the end of James's earlier works published together first in 1616.



## APPENDIX D

### A CONFERENCE ABOUT THE NEXT SUCCESSION TO THE CROWN OF ENGLAND, AND OTHER BOOKS BY ROBERT PARSONS

Robert Parsons, according to his enemies, the secular priests, was a man "whose turnings and doublings are such as would trouble a right good hound to trace him." (*Important Considerations*, p. 65). There can be no doubt that the opinions expressed in the *Next Conference* were exactly those held by Parsons, but the book was published under a fictitious name, a practice common and necessary at the time and one frequently followed by Parsons. There has, therefore, been some doubt as to the part Parsons took in its composition. On the authority of Camden it has been said that Wingfield and Cardinal Allen were equally responsible with him, and Watson indignantly charged that it was "fathered . . . upon the dead Cardinal Allane by Name" (*Important Considerations, Epistle*, pp. 14, 17). It is entirely possible that the book was suggested by a memorial on the English succession addressed to the King of Spain about 1587 by Parsons and Allen jointly, as Taunton suggests (*History of the Jesuits in England*, pp. 123-124), but it is hard to escape the conclusion of Canon Tierney that the composition of the book was the work of Parsons alone. See his elaborate note to Dodd's *Church History*, iii, p. 31 *et seq.*, also Taunton, *op. cit.*, pp. 150-151, 181, 282-284, 426-427, 461, and especially *Appendix*, pp. 476-477. Taunton is in agreement with Tierney. It is impossible here to give a summary of this remarkable book. Its general theory is much the same as that of the *Vindiciae Contra Tyrannos* from which, it is easy to guess, many of its arguments are drawn; particularly the superiority of the *populus universus* to the prince, though he is superior to any individual subject (*A Conference*, pt. i, p. 58, ed. of 1681). But there is a greater insistence on the orthodoxy of the King, as might be expected (*ibid.*, pp. 163, 168-170, etc.). There is in it also an interesting tendency toward a pragmatic interpretation of history; as shown in the author's assertion "That lawful Princes have oftentimes by their Commonwealths been lawfully deposed for misgovernment; and that God hath allowed of, and assisted the same with good success unto the Weal-publick" (pt. i, p. 50). Sir Thomas Craig correctly saw that this was the real difference between his own view and that of Parsons, and insisted that the question was "not at all of what is Profitable and Advantageous, but of what is Right and Just." (*Concerning the Right of Succession*, pt. ii, p. 386.) The best proof of the importance of the *Next Conference* consists in the evident use made of it by later writers of a republican tendency, and by the numerous answers of opponents. In 1648 — the time is significant — Part I was republished under

the title *Severall Speeches delivered at a Conference concerning the Power of Parliament, to proceed against their King for Misgovernment*, with only such alteration of phraseology as seemed necessary to conceal its origin. Such an artifice was of no avail against an antagonist like William Prynne, who exposed the deception in his famous speech in the House of Commons on December 4, 1648 (*Parl. Hist.*, iii, 1235). Clement Walker also detected it in his *History of Independency*, published in the same year (pt. i, p. 115). I have carefully compared this book with the *Conference* and verified the statements of Prynne and Walker.

In 1655 another disguised republication of parts of Parson's book appeared under the title *A Treatise concerning the broken Succession of the Crown of England*. And finally, in 1681 a second edition of the whole book appeared, reprinted exactly from the first by the supporters of the Exclusion Bill. The books referred to above are more or less exact copies of Doleman, but the influence of the *Next Succession* is also to be seen in almost all the books written on this side of the great controversy well into the eighteenth century. The importance of this book appears also from the replies it elicited. In the opinion of George Hickes, the non-juring bishop, it was "the most pestilent and dangerous Piece that ever was written against this Government." As early as 1600 appeared a Catholic *Answer to Dolman on the Succession to the English Crown*, published in Paris, and usually attributed to Charles Paget, a layman, but one of the most bitter of the Catholic enemies of Parsons. (See *D. N. B.*, Paget, Charles). In 1603, Sir John Hayward published *An Answer to the First Part of a Certain Conference, Concerning Succession, Published not long since under the name of R. Dolman*.

Hayward's book is abusive but not particularly powerful. The imminence of Elizabeth's death was also the occasion of another book on the same subject but of a different order of merit. In 1602, Thomas Craig finished writing a defense of legitimism and of the title of James I which is, all considered, the ablest contribution on that side of the great argument. It was written in Latin and the dedication to James VI was dated January 1, 1603. Just one hundred years later this book was first published in an English translation under the title, *Concerning the Right of Succession to the Kingdom of England. Two Books against the Sophisms of one Parsons a Jesuite who assumed the Counterfeit Name of Doleman*, etc., London, 1703. The author relies on law, divine and human, civil and common, rather than on analogy. Like all contemporaries he also uses Scripture and history but his superiority lies in his evident knowledge of Roman law, to which Hayward could lay small claim. His answer is more complete than Hayward's, covering both parts of Doleman, and is less scurrilous, though it is evident that he knew Parsons to be the real author of the *Next Conference* (p. 142).

Among the many books defending legitimism published toward the end of the seventeenth century, at least two are intended as direct answers to Parsons, Edward Pelling's *The Apostate Protestant*, London, 1682, and the *Jus Regium* of Sir George Mackenzie, London, 1684.



One statement from the first of these is an interesting commentary on the continuity of political ideas. Pelling, in commenting on the passage of Watson's *Quodlibets* (p. 27), which compares the disobedience of Jesuits and Puritans, says, "However, one Faction has hither so shifted it self into another, that the old Puritan, that was peaceable and fair-conditioned, is quite gone out of the world; he has been long ago lost in the Presbyterian, and the Presbyterian too is upon the matter lost in the Independent, and all of them are so lost in the Jesuit, that if you go to unkennel the Fox, 'tis an even Lay whether you hunt a Jesuit or a Whig" (p. 49). Among the many other books of Parsons that were important in their influence on English political thought, space permits the mention of only one, *A Memorial of the Reformation of England*, 1596. This was republished after the Revolution, in 1690, with the title *The Jesuit's Memorial, for the Intended Reformation of England, Under their First Popish Prince*, edited by Edward Gee.

A curious commentary on the peculiar methods of Parsons is furnished by a comparison of his *De Persecutione Anglicana*, 1582, or his *Elizabethae Angliae Reginae . . . Edictum*, Lyons, 1592, which loudly complain of Elizabeth's religious persecution; with a statement of the *Jesuit's Memorial* of 1596. In the latter Parsons urges his orthodox King of England to grant a *temporary* toleration to such heretics, but such alone, as live quietly, are desirous of learning the truth, and do not teach, preach, or seek to infect others. This, however, must not be a grant of religious liberty, but only "a certain Connivence or Toleration of Magistrates only for a certain time to be limited, and with particular Conditions and Exceptions, that no meetings, assemblies, preaching or perverting of others be used," pp. 32-34 (edition of 1690). These books were all practically anonymous. A list of the writings of Parson's is found in the excellent article in the *D. N. B.*, written by the late T. G. Law, and a summary of some of his most important books is given by Taunton, *History of the Jesuits in England*, Appendix, p. 475 *et seq.* For the general question of the influence of the *Next Succession*, see in addition to the references given above, Gooch, *The History of English Democratic Ideas*, p. 37, note 4; Figgis, *Divine Right*, 2d ed., p. 147; Foulis, *The History of Romish Treasons*, 2d ed., 1681, pp. 80, 500-506; Brady, *A True and Exact History of the Succession of the Crown of England, An Introduction to the Old English History*, 1684, pp. 353-357; and especially the dedication and preface of the editor in Craig's *Right of Succession to the Kingdom of England*, 1703.

## APPENDIX E

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To the various versions of this revised edition of the *Apologie* was prefixed a long introduction, *A Premonition to All Most Mightie Monarches, Kings, Free Princes, and States of Christendome* (*Workes*, pp. 287–338) which ended with *A Catalogue of the Lyes of Tortus, together with a Briefe Confutation of them* (*Workes*, pp. 339–346). The *Premonition* is sometimes referred to as the *Monitory Preface*.

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To these might be added several speeches delivered to the Parliament of 1621 (*Parliamentary History*, i, 1175–1371, *passim*) and also those of James's fourth and last Parliament, in 1624 (*Parl. Hist.*, i, 1373–1506, *passim*).

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THE POLITICAL WORKS OF JAMES I





# THE POLITICAL WORKS OF JAMES I

BASILIKON DORON. OR HIS MAIESTIES INSTRVCTIONS TO  
HIS DEAREST SONNE, HENRY THE PRINCE.

## THE ARGUMENT.

### SONNET.

**G**OD giues not Kings the stile of *Gods* in vaine,  
For on his Throne his Scepter doe they swey:  
And as their subiects ought them to obey,  
So Kings should feare and serue their God againe  
If then ye would enioy a happie raigne,  
Obserue the Statutes of your heauenly King,  
And from his Law, make all your Lawes to spring:  
Since his Lieutenant here ye should remain,  
Reward the iust, be stedfast, true, and plaine,  
Represse the proud, maintayning aye the right,  
Walke alwayes so, as euer in his sight,  
Who guardes the godly, plaguing the prophane:  
And so ye shall in Princely vertues shine,  
Resembling right your mightie King Diuine.

TO HENRY MY DEAREST SONNE, AND NATVRAL SVCCESSOEVER.

WHOM-to can so rightly appertaine *this Booke of instructions to a Prince in all the points of his calling, as well generall, as a Christian towards God; as particular, as a King towards his people? Whom-to, I say, can it so iustly appertaine, as vnto you my dearest Sonne? Since I the authour thereof, as your naturall Father, must be carefull for your godly and vertuous education, as my eldest Sonne, and the first fruits of Gods blessing towards mee in my posteritie: and as a King must timously provide for your trayning vp in all the points of a Kings Office; since yee are my naturall and lawfull successour therein: that being rightly informed hereby, of the waight of your burthen, ye may in time beginne to consider, that being borne to be a king, ye are rather borne to onus, then honos: not excelling all your people so farre in ranke and honour, as in daily care and hazardous paines-taking, for the dutifull administration of that great office, that God hath laide vpon your shoulders. Laying so a just symmetrie and proportion, betwixt the height of your*



*honourable place, and the heauie waight of your great charge: and consequently, in case of failing, which God forbid, of the sadnesse of your fall, according to the proportion of that height. I haue therefore for the greater ease to your memory, and that yee may, at the first cast up any part that yee haue to doe with, deuided this Treatise in three parts. The first teacheth you your duetie towards God as a Christian: the next, your duetie in your Office as a King: and the third informeth you how to behaue your selfe in indifferent things, which of them-selues are neither right nor wrong, but according as they are rightly or wrong vsed; and yet will serue according to your behauiour therein, to augment or empaire your fame and authoritie at the handes of your people. Receiue and welcome this Booke then, as a faithfull Præceptour and counsellour vnto you: which, because my affaires will not permit mee euer to bee present with you, I ordaine to bee a resident faithfull admonisher of you: And because the houre of death is vncertaine to mee, as vnto all flesh, I leaue it as my Testament, and latter will vnto you. Chargeing you in the presence of GOD, and by the fatherly authoritie I haue ouer you, that yee keepe it euer with you, as carefully, as Alexander did the Iliads of Homer. Yee will finde it a iust and impartiall counsellour; neither flattering you in any vice, not importuning you at vnmeete times. It will not come vn-called, neither speake vnspereed at: and yet conferring with it when yee are at quiet, yee shall say with Scipio, that yee are nunquam minùs solus, quàm cum solus. To conclude then, I charge you, as euer yee thinke to deserue my Fatherly blessing, to follow and put in practise, as farre as lyeth in you, the præcepts hereafter following. And if yee follow the contrary course, I take the Great GOD to record, that this Booke shall one day bee a witnesse betwixt mee and you; and shall procure to bee ratified in Heauen, the curse that in that case here I giue vnto you. For I protest before that Great GOD, I had rather not bee a Father, and childlesse, then bee a Father of wicked children. But hoping, yea, euen promising vnto my selfe, that GOD, who in his great blessing sent you vnto mee; shall in the same blessing, as hee hath giuen mee a Sonne; so make him a good and a godly Sonne; not repenting him of his Mercie shewed vnto mee, I end, with my earnest prayer to GOD, to worke effectually into you, the fruites of that blessing, which here from my heart I bestow vpon you.*

Your louing Father

I. R.

#### TO THE READER.

*CHARITABLE Reader, it is one of the golden Sentences, which Christ our Sauour vttered to his Apostles, that there is nothing so couered, that shal not be reuealed, neither so hidde, that shall not be knowne; and whatsoever they haue spoken in darkenesse, should be heard in the light: and that which they had spoken in the eare in secret place, should be publikely preached on the tops of the houses:<sup>1</sup> And since he hath said it, most trew must it be, since the authour thereof is the fountaine and very being of trewth: which should mooue all godly and honest*

<sup>1</sup> Luk. 12.

*men, to be very warie in all their secretest actions, and whatsoeuer middesses they vse for attaining to their most wished ends; lest otherwise how auowable soeuer the marke be, whereat they aime, the middesses being discovered to be shamefull whereby they climbe, it may turne to the disgrace both of the good worke it selfe, and of the author thereof; since the deepest of our secrets, cannot be hidde from that all-seeing eye, and penetrant light, piercing through the bowels of very darkenesse it selfe.*

*But as this is generally trew in the actions of all men, so is it more specially trew in the affaires of Kings: for Kings being publike persons, by reason of their office and authority, are as it were set (as it was said of old) vpon a publike stage, in the sight of all the people; where all the beholders eyes are attentiuely bent to looke and pry in the least circumstance of their secretest drifts: Which should make Kings the more carefull not to harbour the secretest thought in their minde, but such as in the owne time they shall not be ashamed openly to auouch; assuring themselues that Time the mother of Veritie, will in the due season bring her owne daughter to perfection.*

*The trew practise hereof, I haue as a King oft found in my owne person, though I thanke God, neuer to my shame, hauing laide my count, euer to walke as in the eyes of the Almightye, examining euer so the secretest of my drifts, before I gaue them course, as how they might some day bide the touchstone of a publike triall. And amongst the rest of my secret actions, which haue (vnlooked for of me) come to publike knowledge, it hath so fared with my ΒΑΣΙΛΙΚΟΝ ΔΩΡΟΝ, directed, to my eldest son; which I wrote for exercise of mine owne ingyne, and instruction of him, who is appointed by God (I hope) to sit on my Throne after me: For the purpose and matter thereof being onely fit for a King, as teaching him his office; and the person whom-for it was ordained, as Kings heire, whose secret counsellor and faithfull admonisher it must be, I thought it no wayes conuenient nor comely, that either it should to all be proclaimed, which to one onely appertained (and specially being a messenger betwixt two so coniunct persons) or yet that the mould whereupon he should frame his future behauiour, when hee comes both vnto the perfection of his yeeres, and possession of his inheritance, should before the hand be made common to the people, the subiect of his future happy gouernment. And therefore for the more secret and close keeping of them, I onely permitted seuen of them to be printed, the Printer being first sworne for secrecie: and these seuen I dispersed amongst some of my trustieft seruants, to be kepted closely by them, lest in case by the iniquitie or wearing of time, any of them might haue beene lost, yet some of them might haue remained after me, as witnesses to my Sonne, both of the honest integritie of my heart, and of my fatherly affection and naturall care towards him. But since contrary go my intention and expectation, as I haue already said, this Booke is now vented, and set foorth to the publike view of the world, and consequently subiect to euery mans censure, as the current of his affection leades him; I am now forced, as well for resisting to the malice of the children of enuie, who like waspes sucke venome out of euery wholesome herbe; as for the satisfaction of the godly honest sort, in any thing that they may mistake therein, both to publish and spread the true copies thereof, for defacing of the false copies that are*



*alreadie spread, as I am enformed; as likewise by this Preface, to cleare such parts thereof, as in respect of the concised shortnesse of my Style, may be mis-interpreted therein.*

*To come then particularly to the matter of my Booke, there are two speciall great points, which (as I am informed) the malicious sort of men haue detracted therein; and some of the honest sort haue seemed a little to mistake: whereof the first and greatest is, that some sentences therein should seeme to furnish grounds to men, to doubt of my sinceritie in that Religion, which I have euer constantly professed; the other is, that in some parts thereof I should seeme to nourish in my minde, a vindictiue resolution against England, or at the least, some principals there, for the Queene my mothers quarrell.*

*The first calummie (most grieuous indeed) is grounded vpon the sharpe and bitter wordes, that therein are vsed in the description of the humors of Puritanes, and rash-headie Preachers, that thinke it their honour to contend with Kings, and perturb whole kingdomes. The other point is onely grounded vpon the strait charge I giue my Sonne, not to heare nor suffer any vnreuerent speeches or bookes against any of his parents or progenitors: wherein I doe alledge my owne experience anent the Queene my mother; affirming, that I neuer found any that were of perfit aage the time of her reigne here, so steadfastly trew to me in all my troubles, as these that constantly kept their allegiance to her in her time. But if the charitable Reader will aduisedly consider, both the methode and matter of my Treatise, he will easily iudge, what wrong I haue sustained by the carping at both: For my Booke, suppose very small, being diuided in three seuerall parts; the first part thereof onely treats of a Kings duety towards God in Religion, wherein I haue so clearely made profession of my Religion, calling it the Religion wherein I was brought vp, and euer made profession of, and wishing him euer to continue in the same, as the onely trew forme of Gods worship; that I would haue thought my sincere plainnesse in that first part vpon that subiect, should haue ditted the mouth of the most enuious Momus, that euer hell did hatch, from barking at any other part of my booke vpon that ground, except they would alledge me to be contrarie to my selfe, which in so small a volume would smell of too great weakenesse, and sliprinesse of memory. And the second part of my booke, teaches my Sonne how to vse his Office, in the administration of Iustice and Politicke Gouvernment: The third onely containing a Kings outward behauiour in indifferent things; what agreeance and conformitie hee ought to keepe betwixt his outward behauiour in these things, and the vertuous qualities of his minde; and how they should serue for trunsh-men, to interpret the inward disposition of the minde, to the eyes of them that cannot see farther wilhin him, and therefore must onely iudge of him by the outward appearance: So as if there were no more to be looked into, but the very methode and order of the booke, it will sufficiently cleare me of that first and grieuousest imputation, in the point of Religion: since in the first part, where Religion is onely treated of, I speake so plainly. And what in other parts I speake of Puritanes, it is onely of their morall faults, in that part where I speake of Policie: declar-*

ing when they contemne the Law and souereigne authoritie, what exemplare punishment they deserue for the same. And now as to the matter it selfe whereupon this scandall is taken, that I may sufficiently satisfie all honest men, and by a iust Apologie raise vp a brasen wall or bulwarke against all the darts of the enuious, I will the more narrowly rip vp the words, whereat they seeme to be somewhat stomacked.

First then, as to the name of Puritanes, I am not ignorant that the style thereof doeth properly belong onely to that vile sect amongst the Anabaptists, called the Family of loue; because they thinke themselues onely pure, and in a maner without sinne, the onely true Church, and onely worthy to be participant of the Sacraments, and all the rest of the world to be but abomination in the sight of God. Of this speciall sect I principally meane, when I speake of Puritans; diuers of them, as Browne, Penry and others, hauing at sundrie times come into Scotland, to sow their popple amongst vs (and from my heart I wish, that they had left no schollers behinde them, who by their fruits will in the owne time be manifested) and partly indeede, I giue this style to such brain-sicke and headie Preachers their disciples and followers, as refusing to be called of that sect, yet participate too much with their humours, in maintaining the aboue-mentioned errours; not onely agreeing with the generall rule of all Anabaptists, in the contempt of the ciuill Magistrate, and in leaning to their owne dreams and reuelations; but particularly with this sect, in accounting all men profane that sweare not to all their fantasies, in making for euery particular question of the policie of the Church, as great commotion, as if the article of the Trinitie were called in controuersie, in making the scriptures to be ruled by their conscience, and not their conscience by the Scripture; and he that denies the least iote of their grounds, sit tibi tanquam ethnicus & publicanus; not worthy to enioy the benefite of breathing, much lesse to participate with them of the Sacraments: and before that any of their grounds be impugned, let King, people, Law and all be trode vnder foote: Such holy warres are to be preferred to an vngodly peace: no, in such cases Christian Princes are not onely to be resisted vnto, but not to be prayed for, for prayer must come of Faith; and it is reuealed to their consciences, that GOD will heare no prayer for such a Prince. Iudge then, Christian Reader, if I wrong this sort of people, in giuing them the stile of that sect, whose errours they imitate: and since they are contented to weare their liuerie, let them not be ashamed to borrow also their name. It is onely of this kinde of men that in this booke I write so sharply; and whom I wish my Sonne to punish, in-case they refuse to obey the Law, and will not cease to sturre vp a rebellion: Whom against I haue written the more bitterly, in respect of diuers famous libels, and iniurious speeches spread by some of them, not onely dishonourably inuective against all Christian Princes, but euen reproachfull to our profession and Religion in respect they are come out vnder coulour thereof: and yet were neuer answered but by Papists, who generally medle aswell against them, as the religion it selfe; whereby the skandale was rather doubled, then taken away. But on the other part, I protest vpon mine honour, I meane it not generally of all Preachers, or others, that like better of the single forme of policie in our Church, then of the many Ceremonies in the



*Church of England; that are perswaded, that their Bishops smell of a Papall supremacie, that the Surplise, the cornerd cap, and such like, are the outward badges of Popish errours. No, I am so farre from being contentious in these things (which for my owne part I euer esteemed as indifferent) as I doe equally loue and honour the learned and graue men of either of these opinions. It can no wayes become me to pronounce so lightly a sentence, in so old a controuersie. Wee all (God be praised) doe agree in the grounds; and the bitterness of men vpon such questions, doeth but trouble the peace of the Church; and giues aduantage and entry to the Papists by our diuision: But towards them, I onely vse this prouision, that where the Law is otherwayes, they may content themselues soberly and quietly with their owne opinions, not resisting to the authoritie, nor breaking the Law of the Countrey; neither aboue all, slurring any rebellion or schisme: but possessing their soules in peace, let them preasse by patience, and well grounded reasons, either to perswade all the rest to like of their iudgements; or where they see better grounds on the other part, not to bee ashamed peaceably to incline thereunto, laying aside all præoccupied opinions.*

*And that this is the onely meaning of my Booke, and not any coldnesse or cracke in Religion, that place doeth plainly witnesse, where, after I haue spoken of the faults in our Ecclesiasticall estate, I exhort my sonne to be beneficiall vnto the good-men of the Ministrie; praising God there, that there is presently a sufficient number of good men of them in this kingdom; and yet are they all knowne to be against the forme of the English Church. Yea, so farre I am in that place from admitting corruption in Religion, as I wish him in promoouing them, to vse such caution, as may preserue their estate from creeping to corruption; euer vsing that forme through the whole Booke, where euer I speake of bad Preachers, terming them some of the Ministers, and not Ministers or Ministrie in generall. And to conclude this point of Religion, what indifferencie of Religion can Momus call that in mee, where, speaking of my sonnes marriage (in case it pleased God before that time to cut the threed of my life) I plainly forewarne him of the inconuenients that were like to ensew, incase he should marry any that be of a different profession in Religion from him: notwithstanding that the number of Princes professing our Religion be so small, as it is hard to foresee, how he can be that way, meetly matched according to his ranke.*

*And as for the other point, that by some parts in this booke, it should appeare, that I doe nourish in my minde, a vindictiue resolution against England, or some principals there; it is surely more then wonderfull vnto me, vpon what grounds they can haue gathered such conclusions. For as vpon the one part, I neither by name nor description poynt out England in that part of my discourse; so vpon the other, I plainly bewray my meaning to be of Scottish-men, where I conclude that purpose in these termes: That the loue I beare to my Sonne, hath mooued me to be so plaine in this argument: for so that I discharge my conscience to him in uttering the verity, I care not what any traitour or treason-allower doe thinke of it. And English-men could not thereby be meant, since they could be no traitours, where they ought no alleageance. I am not ignorant of a wise and princely apophthegme, which the same Queene of Eng-*

land vttered about the time of her owne Coronation. But the drift of that discourse doth fully cleare my intention, being onely grounded vpon that precept to my Sonne, that he should not permit any vnreuerent detracting of his prædecessours; bringing in that purpose of my mother onely for an example of my experience anent Scottish-men, without vsing any perswasion to him of reuenge. For a Kings giuing of any fault the dew stile, inferres no reduction of the faulters pardon. No, I am by a degree nearer of kinne vnto my mother then he is, neither thinke I myselfe, either that vnworthie, or that neere my end, that I neede to make such a Daudicall testament; since I haue euer thought it the dewtie of a worthie Prince, rather with a pike, then a penne, to write his iust reuenge: But in this matter I haue no delite to be large, wishing all men to iudge of my future proiects, according to my by-past actions.

Thus hauing as much insisted in the clearing of these two points, as will (I hope) giue sufficient satisfaction to all honest men, and leauing the enuious to the foode of their owne venome; I will heartily pray thee, louing Reader, charitably to conceiue of my honest intention in this Booke. I know the greatest part of the people of this whole Isle, haue beene very curious for a sight thereof: some for the loue they beare me, either being particularly acquainted with me, or by a good report that perhappes they haue heard of me; and therefore longed to see any thing, that proceeded from that authour whom they so loued and honoured; since bookes are viue Idees of the authours minde. Some onely for meere curiositie, that thinke it their honour to know all new things, were curious to glut their eyes therewith, onely that they might vaunt them to haue seene it: and some fraughted with causlesse emuie at the Authour, did greedily search out the booke, thinking their stomacke fit ynough, for turning neuer so wholesome foode into noysome and infectiue humours: So as this their great concurrence in curiositie (though proceeding from farre different complexions) hath enforced the vn-timous divulgating of this Booke, farre contrarie to my intention, as I haue already said. To which Hydra of diuersly-enclined spectatours, I haue no targe to oppone but plainenesse, patience, and sinceritie: plainenesse, for resoluing and satisfying of the first sort; patience, for to beare with the shallownesse of the next; and sinceritie, to defie the malice of the third with-all. Though I cannot please all men therein, I am contented, so that I onely please the vertuous sort: and though they also finde not euery thing therein, so fully to answere their expectation, as the argument would seeme to require; although I would wish them modestly to remember, that God hes not bestowed all his gifts vpon one, but parted them by a iustice distributiue; and that many eyes see more than one; and that the varietie of mens mindes is such, that tot capita tot sensus; yea, and that euen the very faces, that God hath by nature brought forth in the world, doe euery one in some of their particular lineaments, differ from any other: yet in trewth it was not my intention in handling of this purpose (as it is easie to perceiue) fully to set downe heere all such grounds, as might out of the best writers haue beene alledged, and out of my owne inuention and experience added, for the perfite institution of a King: but onely to giue some such precepts to my owne Sonne,



for the gouvernement of this kingdome, as was meetest for him to be instructed in, and best became me to be the informer of.

If I in this Booke haue beene too particularly plaine, impute it to the necessitie of the subiect, not so much being ordained for the institution of a Prince in generall, as I haue said, as containing particular precepts to my Sonne in speciall: whereof he could haue made but a generall vse, if they had not contained the particular diseases of this kingdome, with the best remedies for the same, which it became me best as a King, hauing learned both the theoricke and practicke thereof, more plainly to expresse, then any simple schoole-man, that onely knowes matters of kingdomes by contemplation.

But if in some places it seeme too obscure, impute it to the shortnesse thereof, being both for the respect of my selfe, and of my Sonne, constrained there-unto: my owne respect, for fault of leasure, being so continually occupied in the affairs of my office, as my great burthen, and restlesse fashery is more then knowen, to all that knowes or heares of me: for my Sonnes respect, because I know by myself, that a Prince so long as he is young, wil be so caried away with some sort of delight or other, that he cannot patiently abide the reading of any large volume: and when he comes to a full maturity of aage, he must be so busied in the actiue part of his charge, as he will not be permitted to bestow many houres vpon the contemplatiue part thereof: So as it was neither fit for him, nor possible for me, to haue made this Treatise any more ample then it is. Indeed I am litle beholden to the curiositie of some, who thinking it too large already (as appears) for lacke of leasure to copy it, drew some notes out of it, for speeds sake; putting in the one halfe of the purpose, and leauing out the other: not vnlike the man that alledged that part of the Psalme, non est Deus, but left out the præceeding words, Dixit insipiens in corde suo. And of these notes making a little pamphlet (lacking, both my methode and halfe of my matter) entituled it, forsooth, the Kings Testament, as if I had eiked a third Testament of my owne to the two that are in the holy Scriptures. It is trew that in a place thereof, for affirmation of the purpose I am speaking of to my Sonne, I bring my slefe in there, as speaking vpon my Testament: for in that sense, euery record in write of a mans opinion in anything (in respect that papers outliue their authors) is as it were a Testament of that mans will in that case: and in that liue their outhours) is as it were a Testament of that mans will in that case: and in that sense it is, that in that place I call this Treatise a Testament. But from any particular sentence in a booke, to giue the booke it selfe a title, is as ridiculous, as to style the booke of the Psalmes, the booke of Dixit insipiens, because with these wordes one of them doeth begin.

Well, leauing these new baptizers and blockers of other mens books, to their owne follies, I returne to my purpose, anent the shortnesse of this booke, suspecting that all my excuses for the shortnesse thereof, shall not satisfie some, especially in our neighbour cuntry: who thought, that as I haue so narrowly in this Treatise touched all the principall sicknesses in our kingdome, with ouertures for the remedies thereof, as I said before: so looked they to haue found something therein, that should haue touched the sicknesses of their state, in the like sort. But they will easily excuse me thereof, if

*they will consider the forme I haue used in this Treatise; wherein I onely teach my Son, out of my owne experience, what forme of gouernment is fittest for this kingdome: and in one part thereof speaking of the borders, I plainly there doe excuse my selfe, that I will speake nothing of the state of England, as a matter wherein I neuer had experience. I know indeed, no kingdome lackes her owne diseases, and likewise what interest I haue in the prosperitie of that state: for although I would be silent, my blood and discent doeth sufficiently proclaime it. But notwithstanding, since there is a lawfull Queene there presently reigning, who hath so long with so great wisdom and felicitie gouerned her kingdomes, as (I must in trew sinceritie confesse) the like hath not beene read nor heard of, either in our time, or since the dayes of the Romane Emperour Augustus; it could no wayes become me, farre inferiour to her in knowledge and experience, to be a busie-body in other princes matters, and to fish in other folkes waters, as the prouerbe is: No, I hope by the contrary (with Gods grace) euer to keepe that Christian rule, To doe as I would be done to: and I doubt nothing, yea euen in her name I dare promise, by the bypast experience of her happy gouernment, as I haue already said, that no good subiect shall be more carefull to enforme her of any corruptions stollen in in her state, then shee shall be zealous for the discharge of her conscience and honour, to see the same purged, and restored to the ancient integritie; and further during her time, becomes me least of any to meddle in.*

*And thus hauing resolved all the doubts, so farre as I can imagine, may be moued against this Treatise; it onely rests to pray thee (charitable Reader) to interpret fauourably this birth of mine, according to the integritie of the author, and not looking for perfection in the worke it selfe. As for my part, I onely glory thereof in this point, that I trust no sort of vertue is condemned, nor any degree of vice allowed in it: and that (though it be not perhaps so gorgeously decked, and richly attired as it ought to be) it is at the least rightly proportioned in all the members, without any monstrous deformitie in any of them: and specially that since it was first written in secret, and is now published, not of ambition, but of a kinde of necessitie; it must be taken of all men, for the trew image of my very minde, and forme of the rule, which I haue prescribed to my selfe and mine: Which as in all my actions I haue hitherto preassed to expresse, so farre as the nature of my charge, and the condition of time would permit me: so beareth it a discouery of that which may be looked for at my hand, and whereto euen in my secret thoughts, I haue engaged my selfe for the time to come. And thus in a firme trust, that it shall please God, who with my being and Crowne, gaue me this minde, to maintaine and augment the same in me and my posteritie, to the discharge of our conscience, the maintenance of our Honour, and weale of our people, I bid thee heartily farewell.*



## OF A KINGS CHRISTIAN DVETIE TOWARDS GOD.

## THE FIRST BOOKE.

As he cannot be thought worthy to rule and command others, that cannot rule and dantone his owne proper affections and vnreasonable appetites, so can hee not be thought worthie to gouerne a Christian people, knowing and fearing God, that in his owne person and heart, feareth not and loueth not the Diuine Maiestie. Neither can anything in his gouernment succeed well with him, (deuise and labour as he list) as comming from a filthie spring, if his person be vnsanctified: for (as that royal Prophet saith) *Except the Lord build the house, they labour in vaine that build it: except the Lord keepe the City, the keepers watch it in vaine:*<sup>1</sup> in respect the blessing of God hath onely power to giue the successe thereunto: and as *Paul* saith, he *planteth, Apollos watereth; but it is God onely that giueth the increase.*<sup>2</sup> Therefore (my Sonne) first of all things, learne to know and loue that God, whom-to ye haue a double obligation; first, for that he made you a man; and next, for that he made you a little GOD to sit on his Throne, and rule ouer other men. Remember, that as in dignitie hee hath erected you aboue others, so ought ye in thankfulness towards him, goe as farre beyond all others. A moate in anothers eye, is a beame into yours: a blemish in another, is a leprouse byle into you: and a veniall sinne (as the Papifts call it) in another, is a great crime into you. Thinke not therefore, that the highnesse of your dignitie, diminisheth your faults (much lesse giueth you a licence to sinne) but by the contrary your fault shall be aggrauated, according to the height of your dignitie; any sinne that ye commit, not being a single sinne procuring but the fall of one; but being an ex-emplare sinne, and therefore drawing with it the whole multitude to be guiltie of the same. Remember then, that this glistening worldly glorie of Kings, is giuen them by God, to teach them to preasse so to glister and shine before their people, in all workes of sanctification and righteousness, that their persons as bright lampes of godlinesse and vertue, may, going in and out before their people, giue light to all their steps. Remember also, that by the right knowledge, and feare of God (which is *the beginning of Wisedome,*<sup>3</sup> as *Salomon* saith) ye shall know all the things necessarie for the discharge of your duetie, both as a Christian, and as a King; seeing in him, as in a mirrour, the course of all earthly things, whereof hee is the spring and onely moouer.

Now, the onely way to bring you to this knowledge, is diligently to reade his word, and earnestly to pray for the right vnderstanding thereof. *Search the Scriptures*, sayth Christ, *for they beare testimonie of me:*<sup>4</sup> and, *the whole Scripture*, saith Paul, *is giuen by inspiration of God, and is profitable to teach, to conuince, to correct, and to instruct in righteousness; that the man of God may be absolute, being made perfite vnto all good workes.*<sup>5</sup> And most properly of any other, belong-

<sup>1</sup> Psal. 127. 1.<sup>2</sup> 1. Cor. 3. 6.<sup>3</sup> Prou. 9. 10.<sup>4</sup> Iohn 5. 39.<sup>5</sup> 2. Tim. 3. 16, 17.

eth the reading thereof vnto Kings, since in that part of Scripture, where the godly Kings are first made mention of, that were ordained to rule ouer the people of God, there is an expresse and most notable exhortation and commandement giuen them, to reade and meditate in the Law of God.<sup>1</sup> I ioyne to this, the carefull hearing of the doctrine with attendance and reuerence: for, *faith commeth by hearing*,<sup>2</sup> sayeth the same Apostle. But aboue all, beware ye wrest not the word to your owne appetite, as ouer many doe, making it like a bell to sound as ye please to interpret: but by the contrary, frame all your affections, to follow precisely the rule there set downe.

The whole Scripture chiefly containeth two things: a command, and a prohibition, to doe such things, and to abstaine from the contrary. Obey in both; neither thinke it enough to abstaine from euill, and do no good; nor thinke not that if yee doe many good things, it may serve you for a cloake to mixe euill turnes therewith. And as in these two points, the whole Scripture principally consisteth, so in two degrees standeth the whole seruice of God by man: interiour, or vpward; exteriour, or downward: the first, by prayer in faith towards God; the next, by workes flowing therefra before the world: which is nothing else, but the exercise of Religion towards God, and of equitie towards your neighbour.

As for the particular points of Religion, I need not to dilate them; I am not hypocrite, follow my footsteps, and your owne present education therein. I thanke God, I was neuer ashamed to giue account of my profession, howsoever the malicious lying tongues of some haue traduced me: and if my conscience had not resolued me, that all my Religion presently professed by me and my kingdome, was grounded vpon the plaine words of the Scripture, without the which all points of Religion are superfluous, as any thing contrary to the same is abomination, I had neuer outwardly auowed it, for pleasure or awe of any flesh.

And as for the points of equitie towards your neighbour (because that will fall in properly, vpon the second part concerning a Kings office) I leaue it to the owne roume.

For the first part then of mans seruice to his God, which is Religion, that is, the worship of God according to his reuealed will, it is wholly grounded vpon the Scripture, as I haue already said, quickened by faith, and conserued by conscience: For the Scripture, I haue now spoken of it in generall, but that yee may the more readily make choice of any part thereof, for your instruction or comfort, remember shortly this methode.

The whole Scripture is dyted by Gods Spirit, thereby, as by his liuely word, to instruct and rule the whole Church militant to the end of the world: It is composed of two parts, the Olde and New Testament: The ground of the former is the Lawe, which sheweth our sinne, and containeth iustice: the ground of the other is Christ, who pardoning sinne containeth grace. The summe of the Law is the tenne Commandements, more largely delated in the bookes of *Moses*, in-

<sup>1</sup> Deut. 17.

<sup>2</sup> Rom. 10. 17.



terpreted and applied by the Prophets; and by the histories, are the examples shewed of obedience or disobedience thereto, and what *præmium* or *pœna* was accordingly giuen by God: But because no man was able to keepe the Law, nor any part thereof, it pleased God of his infinite wisdom and goodnesse, to incarnate his only Sonne in our nature, for satisfaction of his iustice in his suffering for vs; that since we could not be saued by doing, we might at least, bee saued by beleeuing.

The ground therefore of the word of grace, is contained in the foure histories of the birth, life, death, resurrection and ascension of Christ: The larger interpretation and vse thereof, is contained in the Epistles of the Apostles: and the practise in the faithfull or vnfaithfull, with the historie of the infancie and first progresse of the Church is contained in their Actes.

Would ye then know your sinne by the Lawe? reade the bookes of *Moses* containing it. Would ye haue a commentarie thereupon? Reade the Prophets, and likewise the bookes of the *Prouerbes* and *Ecclesiastes*, written by that great patterne of wisdom *Salomon*, which will not only serue you for instruction, how to walke in the obedience of the Lawe of God, but is also so full of golden sentences, and morall precepts, in all things that can concerne your conuersation in the world, as among all the prophane Philosophers and Poets, ye shall not finde so rich a storehouse of precepts of naturall wisdom, agreeing with the will and diuine wisdom of God. Would ye see how good men are rewarded, and wicked punished? looke the historicall parts of these same bookes of *Moses*, together with the histories of *Ioshua*, the *Iudges*, *Ezra*, *Nehemiah*, *Esther*, and *Iob*: but especially the bookes of the *Kings* and *Chronicles*, wherewith ye ought to bee familiarly acquainted: for there shall yee see your selfe, as in a myrrour, in the catalogue either of the good or the euill Kings.

Would yee know the doctrine, life, and death of our Sauour Christ? reade the Euangelists. Would ye bee more particularly trained vp in his Schoole? meditate vpon the Epistles of the Apostles. And would ye be acquainted with the practises of that doctrine in the persons of the primitiue Church? Cast vp the Apostles Actes. And as to the Apocryphe bookes, I omit them, because I am no Papist, as I said before; and indeed some of them are no wayes like the dytment of the Spirit of God.

But when ye reade the Scripture, reade it with a sanctified and chaste heart: admire reuerently such obscure places as ye vnderstand not, blaming onely your owne capacitie: read with delight the plaine places, and studie carefully to vnderstand those that are somewhat difficile: preasse to bee a good textuarie; for the Scripture is euer the best interpreter of it selfe; but preasse not curiously to seeke out farther then is contained therein; for that were ouer vnmanerly a presumption, to strue to bee further vpon Gods secrets, then he hath will ye be; for what hee thought needfull for vs to know, that hath he reuealed there: And delyte most in reading such parts of the Scripture, as may best serue for your instruction

in your calling; reiecting foolish curiosities vpon genealogies and contentions, *which are but vaine, and profite not,*<sup>1</sup> as *Paul* saith.

Now, as to Faith, which is the nourisher and quickner of Religion, as I haue alreadie said, It is a sure perswasion and apprehension of the promises of God, applying them to your soule: and therefore may it iustly be called, the golden chaine that linketh the faithfull soule to Christ: And because it groweth not in our garden, but *is the free gift of God,*<sup>2</sup> as the same Apostle saith, it must be nourished by prayer, Which is nothing else, but a friendly talking with God.

As for teaching you the forme of your prayers, the Psalmes of *David* are the meetest schoole-master that ye can be acquainted with (next the prayer of our Sauour, which is the onely rule of prayer) whereout of, as of most rich and pure fountaines, ye may learne all forme of prayer necessarie for your comfort at all occasions: And so much the fitter are they for you, then for the common sort, in respect the composer thereof was a King: and therefore best behoued to know a Kings wants, and what things were meetest to be required by a King at Gods hand for remedie thereof.

Vse often to pray when ye are quietest, especially forget it not in your bed how oft soeuer ye doe it at other times: for publike prayer serueth as much for example, as for any particular comfort to the supplicant.

In your prayer, bee neither ouer strange with God, like the ignorant common sort, that prayeth nothing but out of bookes, nor yet ouer homely with him, like some of the vaine Pharisaeicall puritanes, that thinke they rule him vpon their fingers: The former way will breede an vncouth coldnesse in you towards him, the other will breede in you a contempt of him. But in your prayer to God speake with all reuerence: for if a subiect will not speake but reuerently to a King, much lesse should any flesh presume to talke with God as with his companion.

Craue in your prayer, not onely things spirituall, but also things temporall, sometimes of greater, and sometimes of lesse consequence; that yee may lay vp in store his grant of these things, for confirmation of your faith, and to be an arles-peny vnto you of his loue. Pray, as yee finde your heart moueth you, *pro re nata*: but see that yee sute no vnlawfull things, as reuenge, lust, or such like: for that prayer can not come of faith: *and whatsoever is done without faith, is sinne,*<sup>3</sup> as the Apostle saith.

When ye obtaine your prayer, thanke him ioyfully therefore: if otherwaies, beare patiently, preassing to winne him with importunitie, as the widow did the vnrighteous Iudge: and if notwithstanding thereof yee be not heard, assure your selfe, God foreseeth that which yee aske is not for your weale: and learne in time, so to interpret all the aduersities that God shall send vnto you; so shall yee in the midst of them, not onely be armed with patience, but ioyfully lift vp your eyes from the present trouble, to the happie end that God will turne it to. And when ye finde it once so fall out by prooffe, arme your selfe with the experience

<sup>1</sup> Tit. 3. 9.<sup>2</sup> Philip. 1. 29.<sup>3</sup> Rom. 14. 23.



thereof against the next trouble, assuring your selfe, though yee cannot in time of the showre see through the cloude, yet in the end shall ye find, God sent if for your weale, as ye found in the former.

And as for conscience, which I called the conseruer of Religion, It is nothing else, but the light of knowledge that God hath planted in man, which euer watching ouer all his actions, as it beareth him a ioyfull testimonie when he does right, so choppeth it him with a feeling that hee hath done wrong, when euer he committeth any sinne. And surely, although this conscience be a great torture to the wicked, yet is it as great a comfort to the godly, if we will consider it rightly. For haue wee not a great aduantage, that haue within our selues while wee liue here, a Count-booke and Inuentarie of all the crimes that wee shall bee accused of, either at the houre of our death, or at the Great day of Iudgement; which when wee please (yea though we forget) will chop, and remember vs to looke vpon it; that while we haue leasure and are here, we may remember to amend; and so at the day of our triall, compeare with *new and white garments washed in the blood of the Lambe*,<sup>1</sup> as *S. Iohn* saith. Aboue all them, my Sonne, labour to keepe sound this conscience, which many prattle of, but ouer few feele: especially be carefull to keepe it free from two diseases, wherewith it vseth oft to be infected; to wit, Leaprosie, and Superstition; the former is the mother of Atheisme, the other of Heresies. By a leaprouse conscience, I meane a *cauterized conscience*,<sup>2</sup> as *Paul* calleth it, being become senselesse of sinne, through sleeping in a carelesse securitie as King *Dauids* was after his murther and adulterie, euer til he was wakened by the Prophet *Nathans* similitude. And by superstition, I meane, when one restraines himselfe to any other rule in the seruice of God, then is warranted by the word, the onely trew square of Gods seruice?

As for a preseruatiue against this Leaprosie, remember euer once in the foure and twentie houres, either in the night, or when yee are at greatest quiet, to call your selfe to account of all your last dayes actions, either wherein ye haue committed things yee should not, or omitted the things ye should doe, either in your Christian or Kingly calling: and in that account, let not your selfe be smoothed ouer with that flattering *φιλαυτία*, which is ouerkindly a sicknesse to all mankind: but censure your selfe as sharply, as if ye were your owne enemy: *For if ye iudge your selfe, ye shall not be iudged*,<sup>3</sup> as the Apostle saith: and then according to your censure, reforme your actions as farre as yee may, eschewing euer wilfully and wittingly to contrare your conscience: For a small sinne wilfully committed, with a deliberate resolution to breake the bridle of conscience therein, is farre more grievous before God, then a greater sinne committed in a suddaine passion, when conscience is asleepe. Remember therefore in all your actions, of the great account that yee are one day to make: in all the dayes of your life, euer learning to die, and liuing euery day as it were you last;

*Omnem crede diem tibi diluxisse supremum.*<sup>4</sup>

<sup>1</sup> Reu. 7. 14.

<sup>2</sup> 1. Tim. 4. 2.

<sup>3</sup> 1. Cor. 11. 31.

<sup>4</sup> Horat. lib. 1. Epist.

And therefore, I would not haue you to pray with the Papists, to be preserued from suddaine death, but that God would giue you grace so to liue, as ye may euery houre of your life be ready for death: so shall ye attaine to the vertue of trew fortitude, neuer being afraid for the horreur of death, come when he list: And especially, beware to offend your conscience with vse of swearing or lying, suppose but in iest; for othes are but an vse, and a sinne cloathed with no delight nor gaine, and therefore the more inexcusable euen in the sight of men: and lying commeth also much of a vile vse, which banisheth shame: Therefore beware euen to deny the trewth, which is a sort of lie, that may best be eschewed by a person of your ranke. For if any thing be asked at you that yee thinke not meete to reueale, if yee say, that question is not pertinent for them to aske, who dare examine you further? and vsing sometimes this answeere both in trew and false things that shall be asked at you, such vnmanerly people will neuer be the wiser thereof.

And for keeping your conscience sound from that sicknesse of superstition, yee must neither lay the safetie of your conscience vpon the credit of your owne conceits, nor yet of other mens humors, how great doctors of Diuinitie that euer they be; but yee must onely ground it vpon the expresse Scripture: for conscience not grounded vpon sure knowledge, is either an ignorant fantasie, or an arrogant vanitie. Beware therefore in this case with two extremities: the one, to beleeeue with the Papists, the Churches authority, better then your owne knowledge; the other, to leane with the Anabaptists, to your owne conceits and dreamed reuelations.

But learne wisely to discern betwixt points of saluation and indifferent things, betwixt substance and ceremonies; and betwixt the expresse commandement and will of God in his word, and the inuention or ordinance of man; since all that is necessarie for saluation is contained in the Scripture: For in any thing that is expressly commanded or prohibited in the booke of God, ye cannot be ouer precise, euen in the least thing; counting euery sinne, not according to the light estimation and common vse of it in the world, but as the booke of God counteth of it. But as for all other things not contained in the scripture, spare not to vse or alter them, as the necessitie of the time shall require. And when any of the spirituall office-bearers in the Church, speake vnto you any thing that is well warranted by the word, reuerence and obey them as the heraulds of the most high God: but, if passing that bounds, they vrge you to embrace any of their fantasies in the place of Gods word, or would colour their particulars with a pretended zeal, acknowledge them for no other then vaine men, exceeding the bounds of their calling; and according to your office, grauely and with authoritie redact them in order againe.

To conclude then, both this purpose of conscience, and the first part of this booke, keepe God more sparingly in your mouth, but abundantly in your heart: be precise in effect, but sociall in shew: kythe more by your deeds then by your



wordes, the loue of vertue and hatred of vice: and delight more to be godly and vertuous indeed, then to be thought and called so; expecting more for your praise and reward in heauen, then heere: and apply to all your outward actions Christs command, to pray and giue your almes secretly: So shal ye on the one part be inwardly garnished with trew Christian humilitie, not outwardly (with the proud Pharisie) glorying in your godlinesse; but saying, as Christ commandeth vs all, when we haue done all that we can, *Inutiles serui sumus*:<sup>1</sup> And on the other part, yee shall eschew outwardly before the world, the suspition of filthie proude hypocrisie, and deceitfull dissimulation.

## OF A KINGS DVETIE IN HIS OFFICE.

### THE SECOND BOOKE.

BVT as ye are clothed with two callings, so must ye be alike careful for the discharge of them both: that as yee are a good Christian, so yee may be a good King, discharging your Office (as I shewed before) in the points of Iustice and Equitie: which in two sundrie waies ye must doe: the one, in establishing and executing, (which is the life of the Law) good Lawes among your people:<sup>2</sup> the other, by your behaiour in your owne person, and with your seruants, to teach your people by your example:<sup>3</sup> for people are naturally inclined to counterfaite (like apes) their Princes maners, according to the notable saying of *Plato*,<sup>4</sup> expressed by the Poet —

*Componitur orbis*

*Regis ad exemplum, nec sic inflectere sensus*

*Humanos edicta valent, quàm vita regentis.*<sup>5</sup>

For the part of making, and executing of Lawes, consider first the trew difference betwixt a lawfull good King, and an vsurping Tyran, and yee shall the more easily vnderstand your duetie herein: for *contraria iuxta se posita magis elucescunt*. The one acknowledgeth himselfe ordained for his people, hauing receiued from God a burthen of gouernment, whereof he must be countable:<sup>6</sup> the other thinketh his people ordeined for him, a prey to his passions and inordinate appetites, as the fruites of his magnanimitie:<sup>7</sup> And therefore, as their ends are directly contrarie, so are their whole actions, as meanes, whereby they preasse to attaine to their endes. A good King, thinking his highest honour to consist in the due discharge of his calling, emploiethe all his studie and paines, to procure and maintaine, by the making and execution of good Lawes, the well-fare and peace of his people;<sup>8</sup> and as their naturall father and kindly Master, thinketh his greatest contentment standeth in their prosperitie, and his greatest suretie in hauing their hearts, subiecting his owne priuate affections and appetites to

<sup>1</sup> Luke 10. 17.

<sup>2</sup> Plato in Polit.

<sup>3</sup> Isocr. in Sym.

<sup>4</sup> Plato in Polit.

<sup>5</sup> Claudian in 4. cons. Hon.

<sup>6</sup> Plato in Polit.

<sup>7</sup> Arist. 5. Polit.

<sup>8</sup> Xen. 8. Cyr.

the weale and standing of his Subiects, euer thinking common interesse his chiefest particular:<sup>1</sup> where by the contrarie, an vsurping Tyran, thinking his greatest honour and felicitie to consist in attaining *per fas, vel nefas* to his ambitious pretences, thinketh neuer himselfe sure, but by the dissention and factions among his people, and counterfaiting the Saint while he once creepe in credite, will then (by inuerting all good Lawes to serve onely for his vnurlic priuate affections) frame the common-weale euer to aduance his particular: building his suretie vpon his peoples miserie:<sup>2</sup> and in the end (as a step-father and an vncouth hireling) make vp his owne hand vpon the ruines of the Republicke.<sup>3</sup> And according to their actions, so receiue they their reward: For a good King (after a happie and famous reigne) dieth in peace, lamented by his subiects, and admired by his neighbours; and leauing a reuerent renowne behinde him in earth, obtaineth the Crowne of eternall felicitie in heauen.<sup>4</sup> And although some of them (which falleth out very rarelie) may be cut off by the treason of some vnnaturall subiects, yet liueth their fame after them, and some notable plague faileth neuer to ouertake the committers in this life, besides their infamie to all posterities hereafter: Where by the contrarie, a Tyrannes miserable and infamous life, armeth in end his owne Subiects to become his burreaux:<sup>5</sup> and although that rebellion be euer vnlawfull on their part, yet is the world so wearied of him, that his fall is little meened by the rest of his Subiects, and but smiled at by his neighbours.<sup>6</sup> And besides the infamous memorie he leaueth behind him here, and the endlesse paine hee sustaineth hereafter, it oft falleth out, that the committers not onely escape vnpunished, but farther, the fact will remaine as allowed by the Law in diuers aages thereafter. It is easie then for you (my Sonne) to make a choise of one of these two sorts of rulers, by following the way of vertue to establish your standing; yea, in case ye fell in the high way, yet should it be with the honourable report, and iust regrate of all honest men.

And therefore to returne to my purpose anent the gouvernement of your Subiects, by making and putting good Lawes to execution; I remit the making of them to your owne discretion, as ye shall finde the necessitie of new-rising corruptions to require them: for, *ex malis moribus bonæ leges natæ sunt*: besides, that in this country, wee haue alreadie moe good Lawes then are well execute, and am onely to insist in your forme of government anent their execution. Onely remember, that as Parliaments haue bene ordained for making of Lawes, so ye abuse not their institution, in holding them for any mens particulars: For as a Parliament is the honourablest and highest iudgement in the land (as being the Kings head Court) if it be well vsed, which is by making of good Lawes in it; so is it the in-iustest Iudgement-seat that may be, being abused to mens particulars: irreuocable decreits against particular parties, being giuen therein vnder colour of generall Lawes, and oft-times th'Estates not knowing themselues whom

<sup>1</sup> Cic. lib. 5. de Rep.<sup>2</sup> Tacit. 4. hist.<sup>3</sup> Arist. 5. Polit.<sup>4</sup> Arist. 5. Polit.<sup>5</sup> Cic. 6. de Rep.<sup>6</sup> Isocr. in Sym.



thereby they hurt.<sup>1</sup> And therefore hold no Parliaments, but for necessitie of new Lawes, which would be but seldome: for few Lawes and well put in execution, are best in a well ruled common-weale. As for the matter of fore-faltures, which also are done in Parliament, it is not good tiggig with these things; but my aduice is, ye fore-fault none but for such odious crimes as may make them vn-worthie euer to be restored againe:<sup>2</sup> And for smaller offences, ye haue other penalties sharpe enough to be vsed against them.

And as for the execution of good Lawes, whereat I left, remember that among the differences that I put betwixt the formes of the gouernment of a good King, and an vsurping Tyran; I shew how a Tyran would enter like a Saint while he found himselfe fast vnder-foot, and then would suffer his vnrulie affections to burst foorth. Therefore be yee contrare at your first entrie to your Kingdome, to that *Quinquennium Neronis*, with his tender hearted wish, *Vellem nescirem literas*,<sup>3</sup> in giuing the Law full execution against all breakers thereof but exception.<sup>4</sup> For since ye come not to your reigne *precario*, nor by conquest, but by right and due discent; feare no vproares fôr doing of iustice, since ye may assure your selfe, the most part of your people will euer naturally fauour Iustice:<sup>5</sup> prouiding alwaies, that ye doe it onely for loue to Iustice, and not for satisfying any particular passions of yours, vnder colour thereof:<sup>6</sup> otherwise, how iustly that euer the offender deserue it, ye are guiltie of murther before God: For ye must consider, that God euer looketh to your inward intention in all your actions.

And when yee haue by the feueritie of Iustice once settled your countries, and made them know that ye can strike, then may ye thereafter all the daies of your life mixe Iustice with Mercie, punishing or sparing, as ye shall finde the crime to haue bene wilfully or rashly committed, and according to the by-past behauiour of the committer.<sup>7</sup> For if otherwise ye kyth your clemencie at the first, the offences would soone come to such heapes, and the contempt of you grow so great, that when ye would fall to punish, the number of them to be punished, would exceed the innocent; and yee would be troubled to resoluë whom-at to begin: and against your nature would be compelled then to wracke many, whom the chastisement of few in the beginning might haue preserued. But in this, my ouerdeare bought experience may serue you for a sufficient lesson: For I confesse, where I thought (by being gracious at the beginning) to win all mens hearts to a vlouing and willing obedience, I by the contrary found, the disorder of the countrie, and the losse of my thanks to be all my reward.

But as this seuerer Iustice of yours vpon all offences would bee but for a time, (as I haue already said) so is there some horrible crimes that yee are bound in conscience neuer to forgiue: such as Witch-craft, wilfull murther, Incest, (especially within the degrees of consanguinitie) *Sodomie*, poisoning, and false coine. As for offences against your owne person and authoritie, since the fault concern-

<sup>1</sup> L. 12. Tab.

<sup>2</sup> Cic. 3 de leg. pro D. s. & pro Sest.

<sup>3</sup> Sen. de cl.

<sup>4</sup> Plato 2. & 10 de Repub.

<sup>5</sup> Ar. 7. pol.

<sup>6</sup> Cic. ad Q. fr.

<sup>7</sup> Plato in Pol. & 9. de L. Sal. orat. ad Cæsar.

eth your selfe, I remit to your owne choise to punish or pardon therein, as your heart serueth you, and according to the circumstances of the turne, and the qualitie of the committer.

Here would I also eike another crime to bee vnpardonable, if I should not be thought partiall: but the fatherly loue I beare you, will make mee breake the bounds of shame in opening it vnto you. It is then, the false and vnreuerent writing or speaking of malicious men against your Parents and Predecessors: ye know the command in Gods lawe, *Honour your Father and Mother*:<sup>1</sup> and consequently, sen ye are the lawful magistrate, suffer not both your Princes and your Parents to be dishonoured by any; especially, sith the example also toucheth your selfe, in leauing thereby to your successors, the measure of that which they shal mete out againe to you in your like behalfe.<sup>2</sup> I graunt wee haue all our faults, which, priuately betwixt you and God, should serue you for examples to meditate vpon, and mend in your person; but should not be a matter of discourse to others whatsoever. And sith ye are come of as honourable Predecessours as any Prince liuing, repress the insolence of such, as vnder pretence to taxe a vice in the person, seeke craftily to staine the race, and to steale the affection of the people from their posteritie: For how can they loue you, that hated them whom-of ye are come? Wherefore destroy men innocent young sucking Wolues and Foxes, but for the hatred they beare to their race? and why wil a coult of a Courser of Naples, giue a greater price in a market, then an Asse-colt, but for loue of the race? It is therefore a thing monstrous, to see a man loue the childe, and hate the Parents: as on the other part, the infaming and making odious of the parents, is the readiest way to bring the sonne in contempt. And for conclusion of this point, I may also alledge my owne experience: For besides the iudgments of God, that with my eyes I haue seene fall vpon all them that were chiefe traitours to my parents, I may iustly affirme, I neuer found yet a constant bidding by me in all my straites, by any that were of perfite aage in my parents dayes, but onely by such as constantly bode by them; I meane specially by them that serued the Queene my mother: for so that I discharge my conscience to you, my Sonne, in reuealing to you the trewth, I care not, what any traitour or treason-allower thinke of it.

And although the crime of oppression be not in this ranke of vnpardonable crimes, yet the ouer-common vse of it in this nation, as if it were a vertue, especially by the greatest ranke of subjects in the land, requireth the King to be a sharpe censurer thereof. Be diligent therefore to trie, and awfull to beate downe the hornes of proud oppressours:<sup>3</sup> embrace the quarrell of the poore and distressed, as your owne particular, thinking it your greatest honour to repress the oppressours:<sup>4</sup> care for the pleasure of none, neither spare ye anie paines in your owne person, to see their wrongs redressed:<sup>5</sup> and remember of the honour-

<sup>1</sup> Exod. 20. 12.

<sup>2</sup> Plat. 4. de Legib.

<sup>3</sup> Arist. 5. polit.

<sup>4</sup> Isocr. de reg.

<sup>5</sup> Cic. in Of. & ad Q. fr.



able stile giuen to my grand-father of worthie memorie, in being called *the poore mans King*. And as the most part of a Kings office, standeth in deciding that question of *Meum* and *Tuum*, among his subjects; so remember when ye sit in iudgement, that the Throne ye sit on is Gods,<sup>1</sup> as *Moyse* saith, and sway neither to the right hand nor to the left; either louing the rich, or pittying the poore. Iustice should be blinde and friendlesse: it is not there ye should reward your friends, or seeke to crosse your enemies.<sup>2</sup>

Here now speaking of oppressours and of iustice, the purpose leadeth me to speake of Hie-land and Border oppressions. As for the Hie-lands, I shortly comprehend them all in two sorts of people: the one, that dwelleth in our maine land, that are barbarous for the most part, and yet mixed with some shewe of ciuilitie: the other, that dwelleth in the Iles, and are alluterly barbares, without any sort or shew of ciuilitie. For the first sort, put straitly to execution the Lawes made alreadie by me against their Ouer-lords, and the chiefes of their Clannes, and it will be no difficultie to danton them. As for the other sort, follow forth the course that I haue intended, in planting Colonies among them of answerable In-lands subiects, that within short time may reforme and ciuilize the best inclined among them; rooting out or transporting the barbarous and stubborne sort, and planting ciuilitie in their roomes.

But as for the Borders, because I know, if ye enioy not this whole Ile, according to Gods right and your lineall discent, yee will neuer get leaue to brooke this North and barrenest part thereof; no, not your owne head whereon the Crowne should stand; I neede not in that case trouble you with them: for then they will be the middest of the Ile, and so as easily ruled as any part thereof.

And that yee may the readier with wisdom and Iustice gouerne your subiects, by knowing what vices they are naturallie most inclined to, as a good Physician, who must first know what peccant humours his Patient naturallie is most subiect vnto, before he can begin his cure:<sup>3</sup> I shall therefore shortly note vnto you, the principall faults that euery ranke of the people of this countrey is most affected vnto. And as for *England*, I will not speake be-gesse of them, neuer hauing been among them, although I hope in that God, who euer fauoureth the right, before I die, to be as well acquainted with their fashions.

As the whole Subiects of our countrey (by the ancient and fundamentall policie of our Kingdome) are diuided into three estates, so is euerie estate hereof generally subiect to some speciall vices; which in a maner by long habitude, are thought rather vertue then vice among them; not that euerie particular man in any of these rankes of men, is subiect vnto them, for there is good and euill of all sorts; but that I meane, I haue found by experience, these vices to haue taken greatest holde with these rankes of men.

And first, that I preiudge not the Church of her ancient priuiledges, reason would shew should haue the first place for orders sake, in this catalogue.

<sup>1</sup> Deut. i.    <sup>2</sup> Plat. in polit.; Cic. ad Q. frat.; Arist. i. Ret.; Plat. in Is.    <sup>3</sup> Plato in polit.

The naturall sicknesse that hath euer troubled, and beene the decay of all the Churches, since the beginning of the world, changing the candlesticke from one to another, as *Iohn* saith, hath beene Pride, Ambition, and Auarice: and now last, these same infirmities wrought the ouerthrow of the Popish Church, in this countrey and diuers others. But the reformation of Religion in *Scotland*, being extraordinarily wrought by God, wherein many things were inordinately done by a popular tumult and rebellion, of such as blindly were doing the worke of God, but clogged with their owne passions and particular respects, as well appeared by the destruction of our policie, and not proceeding from the Princes order, as it did in our neighbour countrey of *England*, as likewise in *Denmarke*, and sundry parts of *Germanie*; some fierie spirited men in the ministerie, got such a guiding of the people at that time of confusion, as finding the gust of gouernment sweete, they begouth to fantasie to themselues a Democraticke forme of gouernment: and hauing (by the iniquitie of time) beene ouerwell baited vpon the wracke, first of my Grandmother, and next of mine owne mother, and after vsurping the libertie of the time in my long minoritie, settled themselues so fast vpon that imagined Democracie, as they fed themselues with the hope to become *Tribuni plebis*: and so in a popular gouernment by leading the people by the nose, to beare the sway of all the rule. And for this cause, there neuer rose faction in the time of my minoritie, nor trouble sen-syne, but they that were vpon that factious part, were euer carefull to perswade and allure these vnruely spirits among the ministerie, to spouse that quarrell as their owne: where-through I was oftentimes calumniated in their populare Sermons, not for any euill or vice in me, but because I was a King, which they thought the highest euill. And because they were ashamed to professe this quarrel, they were busie to look narrowly in all my actions; and I warrant you a mote in my eye, yea a false report, was matter enough for them to worke vpon: and yet for all their cunning, whereby they pretended to distinguish the lawfulnessse of the office, from the vice of the person, some of them would sometimes snapper out well grossely with the trewth of their intentions, informing the people, that all Kings and Princes were naturally enemies to the libertie of the Church, and could neuer patiently beare the yoke of Christ: with such sound doctrine fed they their flockes. And because the learned, graue, and honest men of the ministerie, were euer ashamed and offended with their temeritie and presumption, preassing by all good meanes by their authoritie and example, to reduce them to a greater moderation; there could be no way found out so meete in their conceit, that were turbulent spirits among them, for maintaining their plots, as paritie in the Church: whereby the ignorants were emboldened (as bairdes) to crie the learned, godly, and modest out of it: paritie the mother of confusion, and enemie to Vnitie, which is the mother of order: For if by the example thereof, once established in the Ecclesiasticall gouernment, the Politicke and ciuill estate should be drawn to the like, the great confusion that thereupon would arise may easily be discerned. Take heede therefore (my Sonne) to such



Puritanes, verie pestes in the Church and Common-weale, whom no deserts can oblige, neither oathes or promises binde, breathing nothing but sedition and calumnies, aspiring without measure, railing without reason, and making their owne imaginations (without any warrant of the word) the square of their conscience. I protest before the great God, and since I am here as vpon my Testament, it is no place for me to lie in, that ye shall neuer finde with any Hie-land or Border-theeues greater ingratitude, and moe lies and vile periuries, then with these phanaticke spirits: And suffer not the principals of them to brooke your land, if ye like to sit at rest; except yee would keepe them for trying your patience, as *Socrates* did an euill wife.<sup>1</sup>

And for preseruatiue against their poison, entertaine and aduance the godly, learned and modest men of the ministerie, whom-of (God be praised) there lacketh not a sufficient number: and by their prouision to Bishopricks and Benefices (annulling that vile acte of Annexation, if ye finde it not done to your hand) yee shall not onely banish their conceited paritie, whereof I haue spoken, and their other imaginarie grounds; which can neither stand with the order of the Church, nor the peace of a commonweale and well ruled Monarchie: but ye shall also re-establish the olde institution of three Estates in Parliament, which can no otherwise be done: But in this I hope (if God spare me dayes) to make you a faire entrie, alwayes where I leaue, follow ye my steps.

And to end my aduice anent the Church estate, cherish no man more then a good Pastor, hate no man more then a proude Puritane; thinking it one of your fairest styles, to be called a louing nourish-father to the Church, seeing all the Churches within your dominions planted with good Pastors, the Schooles (the seminarie of the Church) maintained, the doctrine and discipline preserued in puritie, according to Gods word, a sufficient prouision for their sustentation, a comely order in their policie, pride punished, humilitie aduanced, and they so to reuerence their superiours, and their flockes them, as the flourishing of your Church in pietie, peace, and learning, may be one of the chiefe points of your earthly glory, being euer alike ware with both the extremities; as well as yee repress the vaine Puritane, so not to suffer proude Papall Bishops; but as some for their qualities will deserue to bee preferred before others, so chaine them with such bondes as may preserue that estate from creeping to corruption.

The next estate now that by order commeth in purpose, according to their rankes in Parliament, is the Nobilitie, although second in ranke, yet ouer farre first in greatnesse and power, either to doe good or euill, as they are inclined.

The naturall sicknesse that I haue perceiued this estate subiect to in my time, hath beene, a fectlesse arrogant conceit of their greatnes and power; drinking in with their very nourish-milke, that their honor stood in committing three points of iniquitie: to thrall by oppression, the meaner sort that dwelleth neere them, to their seruice and following, although they holde nothing of them: to maintaine

<sup>1</sup> Xantippe.

their seruants and dependers in any wrong, although they be not answerable to the lawes (for any body will maintaine his man in a right cause) and for anie displeasure, that they apprehend to be done vnto them by their neighbour, to take vp a plaine feide against him; and (without respect to God, King, or common-weale) to bang it out brauely, hee and all his kinne, against him and all his: yea they will thinke the King farre in their common, in-case they agree to grant an assurance to a short day, for keeping of the peace: where, by their naturall dewtie, they are oblished to obey the lawe, and keepe the peace all the daies of their life, vpon the perill of their verie craigges.

For remeid to these euils in their estate, teach your Nobilitie to keepe your lawes as precisely as the meanest; <sup>1</sup> feare not their orping or beeing discontented, as long as yee rule well; for their pretended reformation of Princes taketh neuer effect, but where euill gouernement precedeth. Acquaint your selfe so with all the honest men of your Barrons and Gentlemen, and be in your giuing accesse so open and affable to euery ranke of honest persons, as may make them peart without scarring at you, to make their owne suites to you themselues, and not to employ the great Lordes their intercessours; <sup>2</sup> for intercession to Saints is Papistrie: so shall ye bring to a measure their monstrous backes. And for their barbarous feides, put the lawes to due execution made by mee there-anent; beginning euer rathest at him that yee loue best, and is most oblished vnto you; to make him an example to the rest. For yee shall make all your reformations to beginne at your elbow, and so by degrees to flow to the extremities of the land. And rest not, vntill yee roote out these barbarous feides; that their effects may bee as well smoared downe, as their barbarous name is vnknown to anie other nation: For if this Treatise were written either in French or Latine, I could not get them named vnto you but by circumlocution. And for your easier abolishing of them, put sharpelie to execution my lawes made against Gunnes and traiterous Pistols; thinking in your heart, tearming in your speech, and vsing by your punishments, all such as weare and vse them, as brigands and cut-throates.

On the other part, eschew the other extremitie, in lightlying and contemning your Nobilitie. Remember howe that errorr brake the King my grand-fathers heart. But consider that vertue followeth oftest noble blood: the worthinesse of their antecessors craueth a reuerent regard to be had vnto them: <sup>3</sup> honour them therfore that are obedient to the law among them, as Peeres and Fathers of your land: the more frequently that your Court can bee garnished with them; thinke it the more your honour; <sup>4</sup> acquainting and employing them in all your greatest affaires; sen it is, they must be your armes and executers of your lawes: and so vse your selfe louinglie to the obedient, and rigorously to the stubborne, as may make the greatest of them to thinke, that the chiefest point of their honour, standeth in striuing with the meanest of the land in humilitie towards you, and obedi-

<sup>1</sup> Arist. 5. Polit.

<sup>2</sup> Plat. in 1. Al. in pol. & 5. de l. Arist. 2. œcon.

<sup>3</sup> Zeno in Cyr.; Iso. in Eu.; Cic. ad Q. fra. <sup>4</sup> Zeno in Cyr.



ence to your Lawes: beating euer in their eares, that one of the principall points of seruice that ye craue of them, is, in their persons to practise, and by their power to procure due obedience to the Law; without the which, no seruice they can make, can be agreeable vnto you.

But the greatest hinderance to the execution of our Lawes in this countrie, are these heritable Shirefdomes and Regalities, which being in the hands of the great men, do wracke the whole countrie: For which I know no present remedie, but by taking the sharper account of them in their Offices; vsing all punishment against the slouthfull, that the Law will permit:<sup>1</sup> and euer as they vaike, for any offences committed by them, dispone them neuer heritably againe: preassing, with time, to draw it to the laudable custome of England: which ye may the easilier doe, being King of both, as I hope in God ye shall.

And as to the third and last estate, which is our Burghes (for the small Barones are but an inferiour part of the Nobilitie and of their estate) they are composed of two sorts of men; Merchants and Craftes-men: either of these sorts being subject to their owne infirmities.

The Merchants thinke the whole common-weale ordeined for making them vp; and accounting it their lawfull gaine and trade, to enrich themselues vpon the losse of all the rest of the people, they transport from vs things necessarie; bringing backe sometimes vnnecessary things, and at other times nothing at all. They buy for vs the worst wares, and sell them at the dearest prices: and albeit the victuals fall or rise of their prices, according to the aboundance or skantnesse thereof; yet the prices of their wares euer rise, but neuer fall: being as constant in that their euill custome, as if it were a settled Law for them. They are also the speciall cause of the corruption of the coyne, transporting all our owne, and bringing in forraine, vpon what price they please to set on it: For order putting to them, put the good Lawes in execution that are already made anent these abuses; but especially doe three things: Establish honest, diligent, but few Searchers, for many hands make slight worke; and haue an honest and diligent Thesaurer to take count of them: Permit and allure forraine Merchants to trade here:<sup>2</sup> so shall ye haue best and best cheape wares, not buying them at the third hand: And set euery yeere downe a certaine price of all things; considering first, how it is in other countries: and the price set reasonably downe, if the Merchants will not bring them home on the price, cry forrainers free to bring them.

And because I haue made mention here of the coyne, make your money of fine Gold and Siluer; causing the people be payed with substance, and not abused with number: so shall ye enrich the common-weale, and haue a great treasure laid vp in store, if ye fall in warres or in any straites: For the making it baser, will breed your commoditie; but it is not to bee vsed, but at a great necessitie.

And the Craftes-men thinke, we should be content with their worke, how bad and deare soeuer it be:<sup>3</sup> and if they in any thing be controlled, vp goeth the

<sup>1</sup> Ar. 2. pol.

<sup>2</sup> Pl. 2. de Rep. 8. & 11. de leg.

<sup>3</sup> Plat. 11. de leg.

blew-blanket: But for their part, take example by ENGLAND, how it hath flourished both in wealth and policie, since the strangers Craftes-men came in among them: Therefore not onely permit, but allure strangers to come heere also;<sup>1</sup> taking as strait order for repressing the mutining of ours at them, as was done in ENGLAND, at their first in-bringing there.

But vnto one fault is all the common people of this Kingdome subiect, as well burgh as land; which is, to iudge and speake rashly of their Prince, setting the Common-weale vpon foure props, as wee call it; euer wearying of the present estate, and desirous of nouelties.<sup>2</sup> For remedie whereof (besides the execution of Lawes that are to be used against vnreuerent speakers) I know no better meane, then so to rule, as may iustly stop their mouthes from all such idle and vnreuerent speeches; and so to prop the weale of your people, with prouident care for their good gouernment, that iustly, *Momus* himselfe may haue no ground to grudge at: and yet so to temper and mixe your seueritie with mildnes, that as the vniust railers may be restrained with a reuerent awe; so the good and louing Subjects, may not onely liue in suretie and wealth, but be stirred vp and inuited by your benigne courtesies, to open their mouthes in the iust praise of your so well moderated regiment.<sup>3</sup> In respect whereof, and therewith also the more to allure them to a common amitie among themselues, certaine dayes in the yeere would be appointed, for delighting the people with publicke spectacles of all honest games, and exercise of armes:<sup>4</sup> as also for conueening of neighbours, for entertaining friendship and heartlinesse, by honest feasting and merrinesse: For I cannot see what greater superstition can be in making playes and lawfull games in Maie, and good cheere at Christmas, then in eating fish in Lent, and vpon Fridayes, the Papists as well vsing the one as the other: so that alwayes the Sabboths be kept holy, and no vnlawfull pastime be vsed: And as this forme of contenting the peoples mindes, hath beene vsed in all well gouerned Republicks: so will it make you to performe in your gouernment that olde good sentence,

*Omne tulit punctum, qui miscuit vile dulci.*<sup>5</sup>

Ye see now (my Sonne) how for the zeale I beare to acquaint you with the plaine and single veritie of all things, I haue not spared to be something Satyricke, in touching well quickly the faults in all the estates of my kingdome: But I protest before God, I doe it with the fatherly loue that I owe to them all; onely hating their vices, whereof there is a good number of honest men free in euery estate.

And because, for the better reformation of all these abuses among your estates, it will be a great helpe vnto you, to be well acquainted with the nature and humours of all your Subjects, and to know particularly the estate of euery part of your dominions;<sup>6</sup> I would therefore counsell you, once in the yeere to visite

<sup>1</sup> Plat. 9. de leg.

<sup>2</sup> Sal. in Iug.

<sup>3</sup> Arist 5. pol.

<sup>4</sup> Isoc. in paneg.

<sup>5</sup> Hor. de art. poet.

<sup>6</sup> Plat. in pol. & Min.



the principall parts of the countrey, ye shal be in for the time:<sup>1</sup> and because I hope ye shall be King of moe countries then this, once in the three yeeres to visite all your Kingdomes; not lipening to Vice-royes, but hearing your selfe their complaints; and hauing ordinarie Councels and iustice-seates in euerie Kingdome, of their owne countriemen: and the principall matters euer to be decided by your selfe when ye come in those parts.

Ye haue also to consider, that yee must not onely bee carefull to keepe your subiects, from receiuing anie wrong of others within; but also yee must be careful to keepe them from the wrong of any forraine Prince without: sen the sword is giuen you by God not onely to reuenge vpon your owne subiects, the wrongs committed amongst themselues; but further, to reuenge and free them of forraine iniuries done vnto them: And therefore warres vpon iust quarrels are lawfull: but aboue all, let not the wrong cause be on your side.<sup>2</sup>

Vse all other Princes, as your brethren, honestly and kindly: Keepe precisely your promise vnto them, although to your hurt: Striue with euerie one of them in courtesie and thankfulnessse:<sup>3</sup> and as with all men, so especially with them, bee plaine and trewthfull; keeping euer that Christain rule, *to doe as yee would be done to*: especially in counting rebellion against any other Prince, a crime against your owne selfe, because of the preparatiue. Supplie not therefore, nor trust not other Princes rebels; but pittie and succour all lawfull Princes in their troubles. But if any of them will not abstaine, notwithstanding what-soeuer your good deserts, to wrong you or your subjects, craue redresse at leasure;<sup>4</sup> heare and doe all reason: and if no offer that is lawfull or honourable, can make him to abstaine, nor repaire his wrong doing; then for last refuge, commit the iustneffe of your cause to God, giuing first honestly vp with him, and in a publicke and honourable forme.<sup>5</sup>

But omitting now to teach you the forme of making warres, because that arte is largely treated of by many, and is better learned by practise then speculation; I will onely set downe to you heere a few precepts therein. Let first the iustnesse of your cause be your greatest strength; and then omitte not to vse all lawfull meanes for backing of the same.<sup>6</sup> Consult therefore with no Necromancier nor false Prophet, vpon the successe of your warres, remembring on king *Saules*<sup>7</sup> miserable end: but keepe your land cleane of all South-sayers, according to the commaund in the Law of God,<sup>8</sup> dilated by *Ieremie*. Neither commit your quarrell to bee tried by a Duell: for beside that generally all Duell appeareth to bee vnlawful, committing the quarrell, as it were, to a lot; whereof there is no warrant in the Scripture, since the abrogating of the olde Lawe: it is specially moste vn-

<sup>1</sup> Tacit. 7. an. Mart.

<sup>2</sup> Xeno. 8. Cyr.; Arist. 5. pol.; Polib. 6; Dion. Hal. de Romul.

<sup>3</sup> Isoc. in Plat. & Parag.

<sup>4</sup> Arist. ad A.; Varr. 11. de V. P. R.; Cic. 2. Of.; Liu. lib. 4.

<sup>5</sup> Liu. lib. 1; Cic. eod.

<sup>6</sup> Prop. 4. Eleg.; Lucan 7; Varro 11. de V. P. R.

<sup>7</sup> 1. Sam. 31.

<sup>8</sup> Deut. 18.

lawfull in the person of a King;<sup>1</sup> who being a publicke person hath no power therefore to dispose of himselfe, in respect, that to his preservation or fall, the safetie or wracke of the whole common-weale is necessarily coupled, as the body is to the head.

Before ye take on warre, play the wise Kings part described by Christ; foreseeing how ye may beare it out with all necessarie prouision:<sup>2</sup> especially remember, that money is *Neruus belli*. Choose old experimented Captaines, and yong able souldiers. Be extreame strait and seuer in martiall Discipline, as well for keeping of order, which is as requisite as hardnesse in the warres, and punishing of slouth, which at a time may put the whole armie in hazard; as likewise for repressing of mutinies, which in warres are wonderfull dangerous. And looke to the *Spaniard*, whose great successe in all his warres, hath onely come through straitnesse of Discipline and order: for such errors may be committed in the warres, as cannot be gotten mended againe.<sup>3</sup>

Be in your owne person walkrife, diligent, and painefull; vsing the aduice of such as are skilfullest in the craft, as ye must also doe in all other. Be homely with your souldiers as your companions, for winning their hearts; and extreame liberall, for then is no time of sparing. Be cold and foreseeing in deuising, constant in your resolutions, and forward and quicke in your executions.<sup>4</sup> Fortifie well your Campe, and assaile not rashly without an aduantage: neither feare not lightly your enemy.<sup>5</sup> Be curious in deuising stratagems, but alwayes honestly: for of any thing they worke greatest effects in the warres, if secrecie be ioyned to inuention.<sup>6</sup> And once or twise in your owne person hazard your selfe fairely; but, hauing acquired so the fame of courage and magnanimitie, make not a daily souldier of your selfe, exposing rashly your person to euery perill: but conserue your selfe thereafter for the weale of your people, for whose sake yee must more care for your selfe, then for your owne.<sup>7</sup>

And as I haue counselled you to be slow in taking on a warre, so aduise I you to be slow in peace-making.<sup>8</sup> Before ye agree, looke that the ground of your warres be satisfied in your peace; and that ye see a good suretie for you and your people: otherwaies a honourable and iust warre is more tollerable, then a dishonourable and dis-aduantageous peace.<sup>9</sup>

But it is not enough to a good King, by the scepter of good Lawes well execute to gouerne, and by force of armes to protect his people; if he ioyne not therewith his vertuous life in his owne person, and in the person of his Court and company; by good example alluring his Subiects to the loue of vertue, and hatred of vice. And therefore (my Sonne) sith all people are naturally inclined to follow

<sup>1</sup> Plutar. in Sert. & Ant.

<sup>2</sup> Luke 14.

<sup>3</sup> Thuc. 2. Sal. in lug.; Cic. pro l. Man.; Demost. olyn. 2; Liu. li. 30; Veget 1; Cæs. 1. & 3. de bel. ciuili; Proh. in Thras.

<sup>4</sup> Cæs. 1. de bello ciu.; Liu. l. 7.; Xen. 1 & 5; Cyr. & de discip. mi.; Xen. in Ages.

<sup>5</sup> Pol. l. 5.

<sup>6</sup> Xen. 1. Cyr.; Thuc. 5.

<sup>7</sup> Isoc. ad Phil.; Pla. 9. de leg.; Liu. l. 22. & 31; Tac. 2. his.; Plut. de fort.

<sup>8</sup> Isocr. in Arch.

<sup>9</sup> Polib. 3.; Cic. 1. Of. & 7. Phil.; Tac. 4. his.



their Princes example (as I shewed you before) let it not be said, that ye command others to keepe the contrary course to that, which in your owne person ye practise, making so your wordes and deeds to fight together:<sup>1</sup> but by the contrary, let your owne life be a law-booke and a mirrour to your people; that therein they may read the practise of their owne Lawes; and therein they may see, by your image, what life they should leade.

And this example in your owne life and person, I likewise diuide in two parts: The first, in the gouernment of your Court and followers, in all godlinesse and vertue: the next, in hauing your owne minde decked and enriched so with all vertuous qualities, that therewith yee may worthily rule your people: For it is not ynough that ye haue and retaine (as prisoners) within your selfe neuer so many good qualities and vertues, except ye employ them, and set them on worke, for the weale of them that are committed to your charge: *Virtutis enim laus omnis in actione consistit.*<sup>2</sup>

First then, as to the gouernment of your Court and followers, King *Dauid* sets downe the best precepts, that any wise and Christian King can practise in that point: For as yee ought to haue a great care for the ruling well of all your Subiects, so ought yee to haue a double care for the ruling well of your owne seruants;<sup>3</sup> since vnto them yee are both a Politicke and Oeconomicke gouernour. And as euery one of the people will delite to follow the example of any of the Courteours, as well in euill as in good:<sup>4</sup> so what crime so horrible can there be committed and ouer-seene in a Courteour, that will not be an exemplare excuse for any other boldly to commit the like? And therefore in two points haue ye to take good heed anent your Court and houshold: first, in choosing them wisely; next, in carefully ruling them whom ye haue chosen.

It is an olde and trew saying, That a kindly Auer will neuer become a good horse: for albeit good education and company be great helpes to Nature,<sup>5</sup> and education be therefore most iustly called *altera natura*, yet is it euill to get out of the flesh,<sup>6</sup> that is bred in the bone, as the olde prouerbe sayth. Be very ware then in making choice of your seruants and companie: —

*Nam*

*Turpius eiicitur, quàm non admittitur hospes:*<sup>7</sup>

and many respects may lawfully let an admission, that will not be sufficient causes of depriuation.

All your seruants and Court must be composed partly of minors, such as young Lords, to be brought vp in your company, or Pages and such like; and partly of men of perfit aage, for seruing you in such rournes, as ought to be filled with men of wisdom and discretion. For the first sort, ye can doe no more, but choose them within aage, that are come of a good and vertuous kinde,<sup>8</sup> *In fide*

<sup>1</sup> Pl. in pol. & 4. de leg.

<sup>2</sup> Plat. in Theæ. & Euth.;

Arist. 1. Eth.; Cic. in Offic.

<sup>3</sup> Psal. 101.

<sup>4</sup> Cic. ad Q frat.

<sup>5</sup> Plat. 5. de Leg.

<sup>6</sup> Arisr. 2. æcon.

<sup>7</sup> Ouid. 5. de Trist.

<sup>8</sup> Arist. 1. & 5. polit.

*parentum*, as Baptisme is vsed: For though *anima non venit ex traduce*,<sup>1</sup> but is immediatly created by God, and infused from aboue; yet it is most certaine, that vertue or vice will oftentimes, with the heritage, be transferred from the parents to the posteritie, and runne on a blood (as the Prouerbe is) the sicknesse of the minde becomming as kindly to some races, as these sicknesse of the body, that infect in the seede:<sup>2</sup> Especially choose such minors as are come of a trew and honest race, and haue not had the house whereof they are descended, infected with falsehood.<sup>3</sup>

And as for the other sort of your companie and seruants, that ought to be of perfit aage; first see that they be of a good fame and without blemish,<sup>4</sup> otherwise, what can the people thinke, but that yee haue chosen a company vnto you, according to your owne humour, and so haue preferred these men, for the loue of their vices and crimes, that ye knew them to be guiltie of? For the people that see you not within, cannot iudge of you, but according to the outward appearance of your actions and companie, which onely is subiect to their sight: <sup>5</sup> And next, see that they be indued with such honest qualities, as are meete for such offices, as ye ordaine them to serue in; that your iudgement may be knowen in imploying euery man according to his giftes: <sup>6</sup> And shortly, follow good king *Dauids* counsell in the choise of your seruants, by setting your eyes vpon the faithfull and vpriought of the land to dwell with you.<sup>7</sup>

But here I must not forget to remember, and according to my fatherly authoritie, to charge you to preferre specially to your seruice, so many as haue trewly serued me, and are able for it: the rest, honourably to reward them, preferring their posteritie before others, as kindest: so shall ye not onely be best serued, (for if the haters of your parents cannot loue you, as I shewed before, it followeth of necessitie their louers must loue you) but further, ye shall kyth your thankfull memorie of your father, and procure the blessing of these olde seruants, in not missing their olde master in you; which otherwise would be turned in a prayer for me, and a curse for you. Vse them therefore when God shall call me, as the testimonies of your affection towards me; trusting and aduancing those farthest, whom I found faithfulest: which ye must not discern by their rewards at my hand (for rewards, as they are called *Bona fortunæ*, so are they subiect vnto fortune) but according to the trust I gaue them; hauing oft-times had better heart then hap to the rewarding of sundry: And on the other part, as I wish you to kyth your constant loue towards them that I loued, so desire I you to kyth in the same measure, your constant hatred to them that I hated: I meane, bring not home, nor restore not such, as ye finde standing banished or fore-faulted by me. The contrary would kyth in you ouer great a contempt of me, and lightnesse in

<sup>1</sup> Cic. ad Q. frat.

<sup>2</sup> Witnesse the experience of the late house of Gowrie.

<sup>3</sup> Plat. 6. de Leg.; Arist. 2. œcon. & 1. pol.

<sup>4</sup> Plat. 6. de leg.; Isocr. in pan.; Arist. 5. pol.

<sup>5</sup> Dem. 2. ph.

<sup>6</sup> Plat. 7. de Rep.; 3. et 12. de Leg.; Arist. 5. et 6. polit.

<sup>7</sup> Psal. 101.



your owne nature: for how can they be trew to the Sonne, that were false to the Father ?

But to returne to the purpose anent the choise of your seruants, yee shall by this wise forme of doing, eschew the inconuenients, that in my minoritie I fell in, anent the choise of my seruants: For by them that had the command where I was brought vp, were my seruants put vnto mee; not choosing them that were meetest to serue me, but whom they thought meetest to serue their turne about me, as kythed well in many of them at the first rebellion raised against mee, which compelled mee to make a great alteration among my seruants. And yet the example of that corruption made mee to be long troubled there-after with solliciters, recommending seruants vnto me, more for seruing in effect, their friends that put them in, then their master that admitted them. Let my example then teach you to follow the rules here set downe, choosing your seruants for your owne vse, and not for the vse of others:<sup>1</sup> And since ye must bee *communis parens* to all your people, so choose your seruants indifferently out of all quarters; not respecting other mens appetites, but their owne qualities: For as ye must command all, so reason would, ye should be serued out of al, as ye please to make choice.

But specially take good heed to the choice of your seruants, that ye preferre to the offices of the Crowne and estate: for in other offices yee haue onely to take heede to your owne weale;<sup>2</sup> but these concerne likewise the weale of your people; for the which yee must bee answerable to God. Choose then for all these Offices, men of knowen wisdom, honestie, and good conscience; well practised in the points of the craft, that yee ordaine them for, and free of all factions and partialities; but specially free of that filthie vice of Flatterie, the pest of all Princes, and wracke of Republicks:<sup>3</sup> For since in the first part of this Treatise, I fore-warned you to be at warre with your owne inward flatterer *φιλαυρία*, how much more should ye be at war with outward flatterers, who are nothing so sib to you, as your selfe is; by the selling of such counterfeit wares, onely preassing to ground their greatnesse vpon your ruines ?<sup>4</sup> And therefore bee carefull to preferre none, as yee will bee answerable to God but onely for their worthinesse: But specially choose honest, diligent, meane, but responsall men, to bee your receiuers in money matters: meane I say, that ye may when yee please, take a sharpe account of their intromission, without perill of their breeding any trouble to your estate: for this ouersight hath beene the greatest cause of my mis-thriuing in money matters. Especially, put neuer a forrainer, in any principall office of estate: for that will neuer faile to stirre vp sedition and enuie in the countrey-mens hearts, both against you and him: But (as I saide before) if God prouide you with moe countries then this; choose the borne-men of euery countrey, to bee your chief counsellors therein.<sup>5</sup>

<sup>1</sup> Arist. 2. pol.

<sup>2</sup> Plat. de repub.; Cic. ad Q. frat.; Isoc. in Panath. ad Nic. & de pace.

<sup>3</sup> Thuc. 6; Plutar. in pol.

<sup>4</sup> Plat. in Phedr. & Menex.; Arist. 5 pol.; Isoc. in Sym.; Tacit. 3. hist.; Curt. 8.

<sup>5</sup> Arist. 5. pol.; Cic. ad Q. frat.

And for conclusion of my aduice anent the choice of your seruants, delight to be serued with men of the noblest blood that may bee had: for besides that their seruice shall breed you great good-will and least enuie, contrarie to that of start-ups; ye shall oft finde vertue follow noble races, as I haue said before speaking of the Nobilitie.<sup>1</sup>

Now, as to the other point, anent your gouerning of your seruants when yee haue chosen them; make your Court and companie to bee a patterne of godlinesse and all honest vertues, to all the rest of the people.<sup>2</sup> Bee a daily watch-man ouer your seruants, that they obey your lawes precisely:<sup>3</sup> For how can your lawes bee kept in the countrey, if they be broken at your eare? Punishing the breach thereof in a Courteour, more seuerely, then in the person of any other of your subiects: and aboue all, suffer none of them (by abusing their credite with you to oppresse or wrong any of your subiects. Be homely or strange with them, as ye thinke their behauiour deserueth, and their nature may beare with.<sup>4</sup> Thinke a quarrellous man a pest in your companie. Bee carefull euer to preferre the gentilest natured and trustiest, to the inwardest Offices about you, especially in your chalmer.<sup>5</sup> Suffer none about you to meddle in any mens particulars, but like the Turkes Ianisares, let them know no father but you, nor particular but yours.<sup>6</sup> And if any will medde in their kinne or friends quarrels, giue them their leaue: for since ye must be of no surname nor kinne, but equall to all honest men; it becommeth you not to bee followed with partiall or factious seruants. Teach obedience to your seruants, and not to thinke themselues ouer-wise:<sup>7</sup> and, as when any of them deserueth it, ye must not spare to put them away, so, without a seene cause, change none of them. Pay them, as all others your subiects, with *præmium* or *pæna* as they deserue, which is the very ground-stone of good gouernement. Employ euery man as ye thinke him qualified, but vse not one in all things, lest he waxe proude, and be enuied of his fellowes. Loue them best, that are plainnest with you, and disguise not the trewth for all their kinne: suffer none to be euill tongued, nor backbiters of them they hate: command a hartly and brotherly loue among all them that serue you.<sup>8</sup> And shortly, maintaine peace in your Court, bannish enuie, cherish modestie, bannish deboshed insolence, foster humilitie, and repress pride: setting downe such a comely and honourable order in all the points of your seruice; that when strangers shall visite your Court, they may with the Queene of *Sheba*, admire your wisdom in the glorie of your house,<sup>9</sup> and comely order among your seruants.

But the principall blessing that yee can get of good companie, will stand in your marrying of a godly and vertuous wife: for shee must bee nearer vnto you,

<sup>1</sup> Plat. in 1. Al. in pol. & 5. de legib.; Arist. 2. œcon.

<sup>2</sup> Isocr. in Areop.

<sup>3</sup> Idem in Panath.

<sup>4</sup> Arist. 2. pol.; Tacit. 1. hist.

<sup>5</sup> Val. lib. 2; Curt. 4.

<sup>6</sup> Demost. 8. phil.; Sal. in Cat.; Liu. 22.

<sup>7</sup> Tacit eod. & 1. An.

<sup>8</sup> Ar. 5. polit.; Tacit. in Ag.; Dion li. 52; Xen. in Ages.; Isoc. in Sym. et ad Ph.; Id. de permutat.; Cic. ad Q. frat.

<sup>9</sup> 1. King. 10.



then any other companie, being *Flesh of your flesh, and bone of your bone*,<sup>1</sup> as *Adam* saide of *Heuah*. And because I know not but God may call me, before ye be readie for Mariage; I will shortly set downe to you heere my aduice therein.

First of all consider, that Mariage is the greatest earthly felicitie or miserie, that can come to a man, according as it pleaseth God to blesse or curse the same. Since then without the blessing of God, yee cannot looke for a happie successe in Mariage, yee must bee carefull both in your preparation for it, and in the choice and vsage of your wife, to procure the same. By your preparation, I meane, that yee must keepe your bodie cleane and vnpolluted, till yee giue it to your wife, whom-to onely it belongeth. For how can ye iustly craue to bee ioyned with a pure virgine, if your bodie be polluted? why should the one halfe bee cleane, and the other defiled? And although I know, fornication is thought but a light and a veniall sinne, by the most part of the world, yet remember well what I said to you in my first Booke anent conscience, and count euery sinne and breach of Gods law, not according as the vaine world esteemeth of it, but as God the Iudge and maker of the lawe accounteth of the same. Heare God commanding by the mouth of *Paul*, to *abstaine from fornication*, declaring that the *fornicator shall not inherite the Kingdome of heauen*:<sup>2</sup> and by the mouth of *Iohn*, reckoning our fornication amongst other grieuous sinnes, that debarre the committers amongst *dogs and swine, from entry in that spirituall and heauenly Ierusalem*.<sup>3</sup> And consider, if a man shall once take vpon him, to count that light, which God calleth heaueie; and veniall that, which God calleth grieuous; beginning first to measure any one sinne by the rule of his lust and appetites, and not of his conscience; what shall let him to doe so with the next, that his affections shall stirre him to, the like reason seruing for all: and so to goe forward till he place his whole corrupted affections in Gods roome? And then what shall come of him; but, as a man giuen ouer to his owne filthy affections, shall perish into them? And because wee are all of that nature, that sibbest examples touch vs neerest, consider the difference of successe that God granted in the Mariages of the King my grand-father, and me your owne father: the reward of his incontinencie, (proceeding from his euill education) being the suddaine death at one time of two pleasant yong Princes; and a daughter onely borne to succeed to him, whom hee had neuer the hap, so much as once to see or blesse before his death: leauing a double curse behinde him to the land, both a Woman of sexe, and a new borne babe of aage to reigne ouer them. And as for the blessing God hath bestowed on mee, in granting me both a greater continencie, and the fruits following there-upon, your selfe, and sib folkes to you, are (praise be to God) sufficient witnesses: which, I hope the same God of his infinite mercie, shall continue and increase, without repentance to me and my posteritie. Be not ashamed then, to keepe cleane your body, which is the Temple of the holy Spirit,<sup>4</sup> notwithstanding all vaine allurements to

<sup>1</sup> Gen. 2. 23.<sup>2</sup> 1. Cor. 6. 10.<sup>3</sup> Reuel. 22. 15.<sup>4</sup> 1. Cor. 6. 19.

the contrary, discerning trewly and wisely of euery vertue and vice, according to the trew qualities thereof, and not according to the vaine conceits of men.

As for your choise in Mariage, respect chiefly the three causes, wherefore Mariage was first ordeined by God; and then ioyne three accessories, so farre as they may be obtained, not derogating to the principalles.

The three causes it was ordeined for, are, for staying of lust, for procreation of children, and that man should by his Wife, get a helper like himselfe. Deferre not then to Marie till your aage: for it is ordeined for quenching the lust of your youth:<sup>1</sup> Especially a King must tymouslie Marie for the weale of his people.<sup>2</sup> Neither Marie yee, for any accessory cause or worldly respects, a woman vnable, either through aage, nature, or accident, for procreation of children: for in a King that were a double fault, as well against his owne weale, as against the weale of his people. Neither also Marie one of knowne euill conditions, or vicious education: for the woman is ordeined to be a helper, and not a hinderer to man.

The three accessories, which as I haue said, ought also to be respected, without derogating to the principall causes, are beautie, riches, and friendship by alliance, which are all blessings of God. For beautie increaseth your loue to your Wife, contenting you the better with her, without caring for others: and riches and great alliance, doe both make her the abler to be a helper vnto you.<sup>3</sup> But if ouer great respect being had to these accessories, the principall causes bee ouerseene (which is ouer oft practised in the world) as of themselues they are a blessing being well vsed; so the abuse of them will turne them in a curse. For what can all these worldly respects auaille, when a man shall finde himselfe coupled with a diuel, to be one flesh with him, and the halfe marrow in his bed? Then (though too late) shall he finde that beautie without bountie, wealth without wisdom, and great friendship without grace and honestie; are but faire shewes, and the deceitfull masques of infinite miseries.

But haue ye respect, my Sonne, to these three speciall causes in your Mariage, which flow from the first institution thereof, & *cætera omnia adjicientur vobis*.<sup>4</sup> And therefore I would rathest haue you to Marie one that were fully of your owne Religion; her ranke and other qualities being agreeable to your estate. For although that to my great regrate, the number of any Princes of power and account, professing our Religion, bee but very small; and that therefore this aduice seemes to be the more strait and difficile: yet ye haue deeply to weigh, and consider vpon these doubts, how ye and your wife can bee of one flesh, and keepe vnitie betwixt you, being members of two opposite Churches: disagreement in Religion bringeth euer with it, disagreement in maners; and the dissention betwixt your Preachers and hers, wil breed and foster a dissention among your subiects, taking their example from your family; besides the perill of the euill education of your children. Neither pride you that ye wil be able to frame and

<sup>1</sup> Arist. 7. pol.

<sup>2</sup> Id. eod.

<sup>3</sup> Æg. Ro. 2. de reg. pr.

<sup>4</sup> Matth. 13.



make her as ye please: that deceiued *Salomon* the wisest King that euer was; the grace of Perseuerance, not being a flower that groweth in our garden.

Remember also that Mariage is one of the greatest actions that a man doeth in all his time, especially in taking of his first Wife: and if hee Marie first basely beneath his ranke, he will euer be the lesse accounted of thereafter. And lastly, remember to choose your Wife as I aduised you to choose your seruants: that she be of a whole and cleane race, not subiect to the hereditary sicknesses, either of the soule or the body: For if a man wil be careful to breed horses and dogs of good kinds, how much more careful should he be, for the breed of his owne loines? <sup>1</sup> So shal ye in your Mariage haue respect to your conscience, honour, and naturall weale in your successours.

When yee are Married, keepe inuiolably your promise made to God in your Mariage; which standeth all in doing of one thing, and abstayning from another: to treat her in all things as your wife, and the halfe of your selfe; and to make your body (which then is no more yours, but properly hers) common with none other.<sup>2</sup> I trust I need not to insist here to dissuade you from the filthy vice of adulterie: remember onely what solemne promise yee make to God at your Mariage: and since it is onely by the force of that promise that your children succeed to you, which otherwayes they could not doe; æquitie and reason would, ye should keepe your part thereof.<sup>3</sup> God is euer a seuerer auenger of all periuries; and it is no oath made in iest, that giueth power to children to succeed to great kingdomes. Haue the King my grand-fathers example before your eyes, who by his adulterie, bred the wracke of his lawfull daughter and heire; in begetting that bastard, who vnnaturally rebelled, and procured the ruine of his owne Souerane and sister. And what good her posteritie hath gotten sensyne, of some of that vn-lawfull generation, *Bothuell* his treacherous attempts can beare witnesse. Keepe præcisely then your promise made at Mariage, as ye would wish to be partaker of the blessing therein.

And for your behauiour to your Wife, the Scripture can best giue you counsell therein: Treat her as your owne flesh, command her as her Lord, cherish her as your helper, rule her as your pupill, and please her in all things reasonable; but teach her not to be curious in things that belong her not: <sup>4</sup> Ye are the head, shee is your body; It is your office to command, and hers to obey; but yet with such a sweet harmonie, as shee should be as ready to obey, as ye to command; as willing to follow, as ye to go before; your loue being wholly knit vnto her, and all her affections louingly bent to follow your will.

And to conclude, keepe specially three rules with your Wife: first, suffer her neuer to meddle with the Politicke gouernment of the Commonweale, but holde her at the Oeconomicke rule of the house; and yet all to be subiect to your direc-

<sup>1</sup> Pla. 5. de Rep.; Cic. 2. de Diu.; Arist. de gen. An.; Lucr. 4.

<sup>2</sup> Pl. 11. de leg.; Is. in Sym.

<sup>3</sup> Cic. 2. de leg.

<sup>4</sup> Arist. 8. Æth. & 1. Pol.; Xen. & Arist. in œco.

tion:<sup>1</sup> keepe carefully good and chaste company about her, for women are the frailest sexe; and be neuer both angry at once, but when ye see her in passion, ye should with reason danton yours: for both when yee are setled, ye are meetest to iudge of her errorrs; and when she is come to her selfe, she may be best made to apprehend her offence, and reuerence your rebuke.

If God send you succession, be carefull for their vertuous education: loue them as ye ought, but let them know as much of it, as the gentlenesse of their nature will deserue; contayning them euer in a reuerent loue and feare of you. And in case it please God to prouide you to all these three Kingdomes, make your eldest sonne *Isaac*, leauing him all your kingdomes; and prouide the rest with priuate possessions: Otherwayes by deuiding your kingdomes, yee shall leaue the seed of diuision and discord among your posteritie;<sup>2</sup> as befell to this Ile, by the diuision and assignement thereof, to the three sonnes of *Brutus*, *Lochrine*, *Albanact*, and *Camber*.<sup>3</sup> But if God giue you not succession, defraud neuer the nearest by right, what-soeuer conceit yee haue of the person: For Kingdomes are euer at Gods disposition, and in that case we are but liue-rentars, lying no more in the Kings, nor peoples hands to dispossesse the righteous heire.

And as your company should be a paterne to the rest of the people, so should your person be a lampe and mirrour to your company:<sup>4</sup> giuing light to your seruants to walke in the path of vertue, and representing vnto them such worthie qualities, as they should preasse to imitate.

I need not to trouble you with the particular discourse of the foure Cardinall vertues, it is so troden a path: but I will shortly say vnto you; make one of them, which is Temperance, Queene of all the rest within you. I meane not by the vulgar interpretation of Temperance, which onely consists in *gustu* & *tactu*, by the moderating of these two senses:<sup>5</sup> but, I meane of that wise moderation, that first commaunding your selfe, shall as a Queene, command all the affections and passions of your minde, and as a Phisician, wisely mixe all your actions according thereto. Therefore, not onely in all your affections and passions, but euen in your most vertuous actions, make euer moderation to be the chiefe ruler: For although holinesse be the first and most requisite qualitie of a Christian, as proceeding from a feeling feare and trew knowledge of God: yet yee remember how in the conclusion of my first booke, I aduised you to moderate al your outward actions flowing there-fra. The like say I now of Iustice, which is the greatest vertue that properly belongeth to a Kings office.

Vse Iustice, but with such moderation, as it turne not in Tyrannie: otherwaies *summum Ius*, is *summa iniuria*.<sup>6</sup> As for example: if a man of a known honest life, be inuaded by brigands or theeues for his purse, and in his owne defence slay

<sup>1</sup> Arist. 1. rhet.; Plu. in Menon.; Ægid. R. de reg. pr. Plu. 5. de Rep. & 7. de leg.

<sup>2</sup> Plu. in Thes. 4. & 5. de Rep. & 6. & 7. de l. Arist. 7. pol.

<sup>3</sup> Polid. 1.

<sup>4</sup> Plu. in Pol.; Cic. ad Q. frat.

<sup>5</sup> Arist. 5. pol.; Pol. 6.; Cic. 1. off. 2. de inuen. & in Par.

<sup>6</sup> Pla. 4. de Leg.; Arist. 1. mag. mor.; Cic. 1. off. pro Rab. & ad Q. frat.; Seneca de cl.



one of them, they beeing both moe in number, and also knowen to bee deboshed and insolent liuers; where by the contrarie, hee was single alone, beeing a man of sound reputation: yet because they were not at the horne, or there was no eye-witnesse present that could verifie their first inuading of him, shall hee therefore lose his head? And likewise, by the law-burrowes in our lawes, men are prohibited vnder great pecuniall paines, from any wayes inuading or molesting their neighbours person or bounds: if then his horse breake the halter, and pastour in his neighbours medow, shall he pay two or three thousand pounds for the wantonnesse of his horse, or the weaknesse of his halter? Surely no: for lawes are ordained as rules of vertuous and sociall liuing, and not to bee snares to trap your good subjects: and therefore the lawe must be interpreted according to the meaning, and not to the literall sense thereof: *Nam ratio est anima legis*.<sup>1</sup>

And as I said of Iustice, so say I of Clemencie, Magnanimitie, Liberalitie, Constancie, Humilitie, and all other Princely vertues; *Nam in medio stat virtus*. And it is but the craft of the Diuell that falsly coloureth the two vices that are on either side thereof, with the borrowed titles of it, albeit in very deeде they haue no affinitie therewith and the two extremities themselues, although they seeme contrarie, yet growing to the height, runne euer both in one: For *in infinitis omnia concurrunt*; and what difference is betwixt extreame tyrannie, delighting to destroy all mankind; and extreame slackenesse of punishment, permitting euery man to tyrannize ouer his companion? Or what differeth extreame prodigalitie, by wasting of all to possesse nothing; from extreame niggardnesse, by hoarding vp all to enioy nothing; like the Asse that carying victuall on her backe, is like to starue for hunger, and will bee glad of thrissels for her part? And what is betwixt the pride of a glorious *Nebuchadnezzar*, and the preposterous humilitie of one of the proud Puritanes, claiming to their Paritie, and crying, Wee are all but vile wormes, and yet will iudge and giue Law to their King, but will be iudged nor controlled by none? Surely there is more pride vnder such a ones blacke bonnet, then vnder *Alexander* the great his Diademe, as was said of *Diogenes* in the like case.

But aboue all vertues, study to know well your owne craft, which is to rule your people. And when I say this, I bid you know all crafts: For except ye know euery one, how can yee controll euery one, which is your proper office? Therefore besides your education, it is necessarie yee delight in reading, and seeking the knowledge of all lawfull things; but with these two restrictions:<sup>2</sup> first, that yee choose idle houres for it, not interrupting therewith the discharge of your office: and next, that yee studie not for knowledge nakedly, but that your principall ende be, to make you able thereby to vse your office;<sup>3</sup> practising according to your knowledge in all the points of your calling: not like these vaine Astrologians, that studie night and day on the course of the starres, onely that they may,

<sup>1</sup> Arist. 5. æth. & 1. rhet.; Cicer. pro Cæc.

<sup>2</sup> Id. 1. de fin.

<sup>3</sup> Plat. in pol. 5. de Rep. & Epist. 7; Cic. ad Q. frat. & de or.

for satisfying their curiositie, know their course.<sup>1</sup> But since all Artes and sciences are linked euery one with other, their greatest principles agreeing in one (which moued the Poets to faine the nine Muses to be all sisters) studie them, that out of their harmonie, ye may sucke the knowledge of all faculties; and consequently be on the counsell of all crafts, that yee may be able to containe them all in order, as I haue alreadie said: For knowledge and learning is a light burthen, the weight whereof will neuer presse your shoulders.

First of all then, study to be well seene in the Scriptures, as I remembred you in the first booke;<sup>2</sup> as well for the knowledge of your owne saluation, as that ye may be able to containe your Church in their calling, as *Custos vtriusque Tabulæ*. For the ruling them well, is no small point of your office; taking specially heede, that they vague not from their text in the Pulpit: and if euer ye would haue peace in your land, suffer them not to meddle in that place with the estate or policie; but punish seuerely the first that presumeth to it. Doe nothing towards them without a good ground and warrant, but reason not much with them: for I haue ouer-much surfeited them with that, and it is not their fashion to yeeld. And suffer no conuentions nor meetings among Church-men, but by your knowledge and permission.

Next the Scriptures, studie well your owne Lawes: for how can ye discern by the thing yee know not? But preasse to draw all your Lawes and processes, to be as short and plaine as ye can: assure your selfe the longsommenesse both of rights and processes, breedeth their vnsure loosenesse and obscuritie, the shortest being euer both the surest and plainest forme,<sup>3</sup> and the longsommenesse seruing onely for the enriching of the Aduocates and Clerkes, with the spoile of the whole cuntry.<sup>4</sup> And therefore delite to haunt your Session, and spie carefully their proceedings; taking good heede, if any briberie may be tried among them, which cannot ouer seuerely be punished. Spare not to goe there, for gracing that farre any that yee fauour, by your presence to procure them expedition of Iustice; although that should be specially done, for the poore that cannot waite on, or are debarred by mightier parties. But when yee are there, remember the throne is Gods and not yours, that ye sit in, and let no fauour, nor whatsoeuer respects mooue you from the right. Ye sit not there, as I shewe before, for rewarding of friends or seruants, nor for crossing of contemners, but onely for doing of Iustice.<sup>5</sup> Learne also wisely to discern betwixt Iustice and equitie; and for pitie of the poore, rob not the rich, because he may better spare it, but giue the little man the larger coat if it be his; eschewing the errour of young *Cyrus* <sup>6</sup> therein: For Iustice, by the Law, giueth euery man his owne; and equitie in things arbitrall, giueth euery one that which is meetest for him.

Be an ordinarie sitter in your secret Counsell: that iudicature is onely ordained for matters of estate, and repressing of insolent oppressions. Make that iudge-

<sup>1</sup> Id. 1. Offic.

<sup>2</sup> Deut. 17.

<sup>3</sup> Plat. 4. de Rep. & 6. de Leg.; Arist. 1. rhet.

<sup>4</sup> Cic. 1. de Orat.; Sen. in Lud.

<sup>5</sup> Plat. in pol.; Arist. 1. Rhet.; Cic. ad Q. frat.; Plut. in Is.

<sup>6</sup> Xen. 1. Cyr.



ment as compendious and plaine as ye can; and suffer no Aduocates to be heard there with their dilatours, but let euery partie tell his owne tale himselfe: and wearie not to heare the complaints of the oppressed, *aut ne Rex sis*.<sup>1</sup> Remit euery thing to the ordinary iudicature, for eschewing of confusion: but let it be your owne craft, to take a sharpe account of euery man in his office.

And next the Lawes, I would haue you to be well versed in authentick histories, and in the Chronicles of all nations, but specially in our owne histories (*Ne sis peregrinus domi*) the example whereof most neerely concernes you: I meane not of such infamous inuectiues, as *Buchanans* or *Knoxes* Chronicles: and if any of these infamous libels remaine vntill your dayes, vse the Law vpon the keepers thereof: For in that point I would haue you a Pythagorist,<sup>2</sup> to thinke that the very spirits of these archibellouses of rebellion, haue made transition in them that hoardes their bookes, or maintaines their opinions; punishing them, euen as it were their authours risen againe.<sup>3</sup> But by reading of authenticke histories and Chronicles, yee shall learne experience by Theoricke, applying the bypast things to the present estate, *quia nihil nouum sub sole*.<sup>4</sup> such is the continuall volubilitie of things earthly, according to the roundnesse of the world, and reuolution of the, heauenly circles: which is expressed by the wheelles in *Ezechiels* visions,<sup>5</sup> and counterfeited by the Poets *in rota Fortunæ*. And likewise by the knowledge of histories, yee shall knowe how to behaue your selfe to all Embassadors and strangers; being able to discourse with them vpon the estate of their owne countrey. And among al prophane histories, I must not omit most specially to recommend vnto you, the Commentaries of *Cæsar*; both for the sweete flowing of the stile, as also for the worthinesse of the matter it selfe: For I haue euer beene of that opinion, that of all the Ethnick Emperors, or great Captaines that euer were, he hath farthest excelled, both in his practise, and in his precepts in martiall affaires.

As for the studie of other liberall artes and sciences, I would haue you reasonably versed in them, but not preassing to bee a passe-master in any of them: for that cannot but distract you from the points of your calling, as I shewed you before:<sup>6</sup> and when, by the enemy winning the towne, yee shall bee interrupted in your demonstration, as *Archimedes*<sup>7</sup> was; your people (I thinke) will looke very bluntly vpon it. I graunt it is meete yee haue some entrance, specially in the Mathematickes; for the knowledge of the arte militarie, in situation of Campes, ordering of battels, making Fortifications, placing of batteries, or such like.<sup>8</sup> And let not this your knowledge be dead without fruites, as Saint *Iames* speaketh of Faith: but let it appeare in your daily conuersation, and in all the actions of your life.<sup>9</sup>

<sup>1</sup> Cic. ad Q. frat.; Tac. 1. hist.; Plut. in Demet.

<sup>2</sup> Plat. in Menon.

<sup>3</sup> Arist. 1. Rhet.; Polit. 1; Plut. in Timo.; Cic. 2. de Or.

<sup>4</sup> Eccles. 1.

<sup>5</sup> Ezech. 1.

<sup>6</sup> Sen. ep. 84.

<sup>7</sup> Liu. 1. 24; Plut. in Marc.

<sup>8</sup> Pl. 7. de leg.; Arist. 2. Meta.

<sup>9</sup> Iam. 2. 17.

Embrace trew magnanimitie, not in beeing vindictiue, which the corrupted iudgements of the world thinke to be trew Magnanimitie;<sup>1</sup> but by the contrarie, in thinking your offendour not worthie of your wrath, empyring ouer your owne passion, and triumphing in the commaunding your selfe to forgiue:<sup>2</sup> husbanding the effects of your courage and wrath, to be rightly employed vpon repelling of iniuries within, by reuenge taking vpon the oppressours; and in reuenging iniuries without, by iust warres vpon forraine enemies. And so, where ye finde a notable iniurie, spare not to giue course to the torrents of your wrath. *The wrath of a King, is like to the roaring of a Lyon.*<sup>3</sup>

Foster trew Humilitie, in bannishing pride, not onely towards God (considering yee differ not in stuffe, but in vse, and that onely by his ordinance, from the basest of your people) but also towards your Parents.<sup>4</sup> And if it fall out that my Wife shall out-lie me, as euer ye thinke to purchase my blessing, honour your mother: set *Beersheba* in a throne on your right hand: offend her for nothing, much lesse wrong her: remember her

*Quæ longa decem tulerit fastidia menses;*

and that your flesh and blood is made of hers: and beginne not, like the young lordes and lairdes, your first warres vpon your Mother; but presse earnestly to deserue her blessing. Neither deceiue your selfe with many that say, they care not for their Parents curse, so they deserue it not. O inuert not the order of nature, by iudging your superiours, chiefly in your owne particular! But assure your selfe, the blessing or curse of the Parents, hath almost euer a Propheticke power ioyned with it: and if there were no more, honour your Parents, for the lengthning of your owne dayes, as God in his Law<sup>5</sup> promiseth. Honour also them that are *in loco Parentum* vnto you, such as your gouernours, vp-bringers, and Præceptours:<sup>6</sup> be thankfull vnto them and reward them, which is your dewtie and honour.

But on the other part, let not this trew humilitie stay your high indignation to appeare, when any great oppressours shall præsume to come in your presence;<sup>7</sup> then frowne as ye ought: And in-case thay vse a colour of Law in oppressing their poore ones, as ouer-many doe, that which ye cannot mend by Law, mend by the withdrawing of your countenance from them:<sup>8</sup> and once in the yeere crosse them, when their erands come in your way, recompensing the oppressour, according to Christs parable of the two debtours.<sup>9</sup>

Keepe trew Constancie, not onely in your kindenesse towards honest men; but being also *inuicti animi* against all aduersities: not with that Stoicke insensible stupiditie, wherewith many in our dayes, preassing to winne honour, in imitating that ancient sect, by their inconstant behauiour in their owne liues, belie their

<sup>1</sup> Arist. 4. eth. Sen. de cl.

<sup>2</sup> Cic. 1. off.; Virg. 6. Æn.

<sup>3</sup> Prou. 20.

<sup>4</sup> Plat. 4. de Leg.; Xen. 2. de dict. & fact. Soc.

<sup>5</sup> Exod. 20.

<sup>6</sup> Xen. 1. & 3. Cyr.

<sup>7</sup> Cic. ad Q. frat.

<sup>8</sup> Arist. 5. pol.

<sup>9</sup> Matth. 18.



profession.<sup>1</sup> But although ye are not a stocke, not to feele calamities; yet let not the feeling of them, so ouer-rule and doazen your reason, as may stay you from taking and vsing the best resolution for remedie, that can be found out.

Vse trew Liberalitie in rewarding the good, and bestowing frankly for your honour and weale: but with that proportionall discretion, that euery man may be serued according to his measure, wherein respect must be had to his ranke, deserts, and necessitie: And prouide how to haue, but cast not away without cause. In speciall, empaire not by your Liberalitie the ordinarie rents of your crowne; whereby the estate Royall of you, and your successours, must be maintained, *ne exhaurias fontem liberalitatis*: for that would euer be kept *sacrosanctum* & *extra commercium*:<sup>2</sup> otherwaies, your Liberalitie would decline to Prodigalitie, in helping others with your, and your successours hurt. And aboue all, enrich not your selfe with exactions vpon your subiects; but thinke the riches of your people your best treasure, by the sinnes of offenders, where no præuention can auaille, making iustly your commoditie.<sup>3</sup> And in-case necessitie of warres, or other extraordinaries compell you to lift Subsidies, doe it as rarely as ye can: employing it onely to the vse it was ordained for; and vsing your selfe in that case, as *fidus depositarius* to your people.<sup>4</sup>

And principally, exercise trew Wisedome; in discerning wisely betwixt trew and false reports: First, considering the nature of the person reporter; Next, what entresse he can haue in the weale or euill of him, of whom hee maketh the report; Thirdly, the likely-hood of the purpose it selfe; And, last, the nature and by-past life of the dilated person: and where yee finde a tratler, away with him.<sup>5</sup> And although it bee true, that a Prince can neuer without secrecie doe great things, yet it is better oftentimes to try reports, then by credulitie to foster suspicion vpon an honest man. For since suspicion is the Tyrants sicknesse, as the fruites of an euill Conscience, *potius in alteram partem peccato*:<sup>6</sup> I meane, in not mistrusting one, whom-to no such vn timerly was knowne before. But as for such as haue slipped before, former experience may iustly breed præuention by fore-sight.

And to conclude my aduice anent your behauiour in your person; consider that God is the authour of all vertue, hauing imprinted in mens mindes by the very light of nature, the loue of all morall vertues; as was seene by the vertuous liues of the old *Romanes*:<sup>7</sup> and preasse then to shine as farre before your people, in all vertue and honestie; as in greatnesse of ranke: that the vse thereof in all your actions, may turne, with time, to a naturall habitude in you; and as by their hearing of your Lawes, so by their sight of your person, both their eyes and their eares, may leade and allure them to the loue of vertue, and hatred of vice.

<sup>1</sup> Arist. 4. æth.; Thuc. 3. 6; Cic. 1. Of. & ad Q. f.; Brut. ad Cic.

<sup>2</sup> Cic. 1. & 2. Of.; Sal. in Iug.; Sen. 4. de ben.

<sup>3</sup> Isoc. epist. 7; Xen. 8. Cyr.; Phil. Com. 10.

<sup>4</sup> Arist. 5. pol.

<sup>5</sup> Isocr. ad Ph. in Panath. & de per.; Cic. ad Q. fr.; Plut. de cursus.

<sup>6</sup> Isoc. de pac.; Cic. 3. Of.

<sup>7</sup> Cicer. 3. Tusc.

## OF A KINGS BEHAVIOVR IN INDIFFERENT THINGS.

## THE THIRD BOOKE.

It is a trew old saying, That a King is as one set on a stage, whose smallest actions and gestures, all the people gazingly doe behold:<sup>1</sup> and therefore although a King be neuer so præcise in the discharging of his Office, the people, who seeth but the outward part, will euer iudge of the substance, by the circumstances;<sup>2</sup> and according to the outward appearance, if his behauiour bee light or dissolute, will conceiue præ-occupied conceits of the Kings inward intention: which although with time, (the trier of all trewth,) it will euanish, by the euidence of the contrary effects, yet *interim patitur iustus*; and præiudged conceits will, in the meane time, breed contempt, the mother of rebellion and disorder.<sup>3</sup> And besides that, it is certaine, that all the indifferent actions and behauiour of a man, haue a certaine holding and dependance, either vpon vertue or vice, according as they are vsed or ruled:<sup>4</sup> for there is not a middes betwixt them, no more then betwixt their rewards, heauen and hell.

Be carefull then, my Sonne, so to frame all your indifferent actions and outward behauiour, as they may serue for the furtherance and forth-setting of your inward vertuous disposition.

The whole indifferent actions of a man, I deuide in two sorts: in his behauiour in things necessary, as food, sleeping, raiment, speaking, writing, and gesture; and in things not necessary, though conuenient and lawfull, as pastimes or exercises, and vsing of company for recreation.

As to the indifferent things necessary, although that of themselues they cannot bee wanted, and so in that case are not indifferent; as likewise in-case they bee not vsed with moderation, declining so to the extremitie, which is vice; yet the qualitie and forme of vsing them, may smell of vertue or vice, and be great furtherers to any of them.

To beginne then at the things necessarie; one of the publickest indifferent actions of a King, and that maniest, especially strangers, will narrowly take heed to; is his maner of refection at his Table, and his behauiour thereat. Therefore, as Kings vse oft to eate publickly, it is meete and honourable that ye also doe so, as well to eschew the opinion that yee loue not to haunt companie, which is one of the markes of a Tyrant;<sup>5</sup> as likewise, that your delight to eate priuatlie, be not thought to be for private satisfying of your gluttonie; which ye would be ashamed should bee publickly seene. Let your Table bee honourably serued; but serue your appetite with few dishes, as yong *Cyrus*<sup>6</sup> did: which both is holesommet, and freest from the vice of delicacie, which is a degree of gluttonie.<sup>7</sup> And vse most to eate of reasonable-grosse, and common-meates; aswell for making your

<sup>1</sup> C. ph. 8. 3. de leg. Ouid. ad Liu.

<sup>2</sup> Quin. 4. decl.

<sup>3</sup> Arist. 5. pol.

<sup>4</sup> Plato in Phil. & 9. de leg.

<sup>5</sup> Xen. in Cyr.

<sup>6</sup> Xen. 1. Cyr.

<sup>7</sup> Plut. in Apoth.



bodie strong and durable for trauell at all occasions, either in peace or in warre: as that yee may bee the heartlier receiued by your meane Subiects in their houses, when their cheare may suffice you: which otherwayes would be imputed to you for pride and daintinesse, and breed coldnesse and disdaine in them. Let all your food bee simple, without composition or sauces; which are more like medecines then meate.<sup>1</sup> The vsing of them was counted amongst the ancient *Romanes* a filthie vice of delicacie; because they serue onely for pleasing of the taste, and not for satisfying of the necessitie of nature; abhorring *Apicius*<sup>2</sup> their owne citizen, for his vice of delicacie and monstrous gluttonie. Like as both the *Grecians* and *Romanes* had in detestation the very name of *Philoxenus*,<sup>3</sup> for his filthie wish of a Crane-craig. And therefore was that sentence vsed amongst them, against these artificiall false appetites, *optimum condimentum fames*.<sup>4</sup> But beware with vsing excesse of meat and drinke; and chiefly, beware of drunkennesse, which is a beastlie vice, namely in a King: but specially beware with it, because it is one of those vices that increaseth with aage. In the forme of your meate-eating, bee neither vnciuill, like a grosse Cynicke; nor affectatlie mignarde, like a daintie dame; but eate in a manlie, round, and honest fashion.<sup>5</sup> It is no wayes comely to dispatch affaires, or to be pensiue at meate: but keepe then an open and cheerefull countenance, causing to reade pleasant histories vnto you, that profite may be mixed with pleasure: and when ye are not disposed, entertaine pleasant, quicke, but honest discourses.

And because meat prouoketh sleeping, be also moderate in your sleepe;<sup>6</sup> for it goeth much by use: and remember that if your whole life were deuided in four parts, three of them would be found to be consumed on meat, drinke, sleepe, and vnneccessarie occupations.

But albeit ordinarie times would commonly bee kept in meate and sleepe, yet vse your selfe some-times so, that any time in the foure and twentie houres may bee alike to you for any of them; that thereby your diet may be accommodate to your affaires, and not your affaires to your diet:<sup>7</sup> not therefore vsing your selfe to ouer great softnesse and delicacie in your sleepe, more then in your meate; and specially in-case yee haue adoe with the warres.

Let not your Chalmer be throng and common in the time of your rest, aswell for comelinesse as for eschewing of carrying reports out of the same. Let them that haue the credite to serue in your Chalmer, be trustie and secret; for a King will haue need to vse secrecie in may things:<sup>8</sup> but yet behaue your selfe so in your greatest secrets, as yee neede not bee ashamed, suppose they were all proclaimed at the mercate crosse:<sup>9</sup> But specially see that those of your Chalmer be of a sound fame, and without blemish.

<sup>1</sup> Sen. ep. 96.

<sup>2</sup> Sen. de consol. ad Alb.; Iuuen. sat. 2.

<sup>3</sup> Arist. 4. eth.

<sup>4</sup> Xen. de dict. & fact. Socr.; Laert. in Socr.; Cic.  
5. Tus.; Plat. 6. de Leg.; Plin. l. 14.

<sup>5</sup> Cic. 1. Off.

<sup>6</sup> Pla. 7. de leg.

<sup>7</sup> Pla. 6. de leg.

<sup>8</sup> Val. 2; Cur. 4.

<sup>9</sup> Pla. 6. de leg.

Take no heede to any of your dreames, for all prophecies, visions, and prophet-icke dreames are accomplished and ceased in Christ: And therefore take no heede to freams either in dreames, or any other things; for that errour proceedeth of ignorance, and is vnworthy of a Christian, who should be assured, *Omnia esse pura puris*,<sup>1</sup> as *Paul* sayth; all dayes and meates being alike to Christians.<sup>2</sup>

Next followeth to speake of raiment, the on-putting whereof is the ordinarie action that followeth next to sleepe.<sup>3</sup> Be also moderate in your raiment, neither ouer superfluous, like a deboshed waster; nor yet ouer base, like a miserable wretch; not artificially trimmed and decked, like a Courtizane, nor yet ouer sluggishly clothed, like a countrey clowne, not ouer lightly like a Candie souldier or a vaine young Courtier; nor yet ouer grauely, like a Minister: but in your garments be proper, cleanly, comely and honest, wearing your clothes in a carelesse, yet comely forme: keeping in them a middle forme, *inter Togatos & Paludatos*,<sup>4</sup> betwixt the grauitie of the one and lightnesse of the other: thereby to signifie, that by your calling yee are mixed of both the professions; *Togatus*, as a Iudge making and pronouncing the Law; <sup>5</sup> *Paludatus*, by the power of the sword: as your office is likewise mixed, betwixt the Ecclesiasticall and ciuill estate: For a King is not *merè laicus*, as both the Papists and Anabaptists would haue him, to the which error also the Puritanes incline ouer farre. But to returne to the purpose of garments, they ought to be vsed according to their first institution by God, which was for three causes: first to hide our nakednesse and shame; next and consequently, to make vs more comely, and thirdly, to preserue vs from the iniuries of heate and colde. If to hide our nakednesse and shamefull parts, then these naturall parts ordained to be hid, should not be represented by any vndecent formes in the cloathes: and if they should helpe our comelinesse, they should not then by their painted preened fashion, serue for baits to filthie lecherie, as false haire and fairding does amongst vnchast women: and if they should preserue vs from the iniuries of heat and colde, men should not, like senselesse stones, contemne God, in lightlyng the seasons, glorying to conquere honour on heate and colde. And although it be praise-worthy and necessarie in a Prince, to be *patiens algoris & æstus*, when he shall haue adoe with warres vpon the fields; yet I thinke it meeter that ye goe both cloathed and armed, then naked to the battell, except you would make you light for away-running: and yet for cowards, *metus addit alas*. And shortly, in your cloathes keepe a proportion, aswell with the seasons of the yeere, as of your aage: in the fashions of them being carelesse, vsing them according to the common forme of the time, some-times richlier, some-times meanlier cloathed, as occasion serueth, without keeping any precise rule therein: <sup>6</sup> For if your mind be found occupied vpon them, it wil be thought idle otherwaies, and ye shall bee accounted in the number of one of these *compti iuuenes*;<sup>7</sup> which wil make your spirit and iudgment to be lesse thought of. But

<sup>1</sup> Rom. 14.<sup>2</sup> Titus 1.<sup>3</sup> Isocr. de reg.<sup>4</sup> Cic. 1. Offic.<sup>5</sup> Plat. de rege.<sup>6</sup> Cic. 1. Off.<sup>7</sup> Ar. ad Alex.



specially eschew to be effeminate in your cloathes, in perfuming, preening, or such like: and faile neuer in time of warres to bee galliardest and brauest, both in cloathes and countenance. And make not a foole of yourselfe in disguising or wearing long haire or nailes, which are but excrements of nature, and bewray such misusers of them, to bee either of a vindictiue, or a vaine light naturall. Especially, make no vowes in such vaine and outward things, as concerne either meate or cloathes.

Let your selfe and all your Court weare no ordinarie armour with your cloathes, but such as is knightly and honourable; I meane rapier-swordes, and daggers: For tuilyesome weapons in the Court, betokens confusion in the countrey. And therefore bannish not onely from your Court, all traiterous offensiue weapons, forbidden by the Lawes, as guns and such like (whereof I spake alreadie) but also all traiterous defensiuie armes, as secrets, plate-sleeues, and such like vnseene armour: For, besides that the wearers thereof, may be presupposed to haue a secret euill intention, they want both the vses that defensiuie armour is ordained for; which is, to be able to holde out violence, and by their outward glaunsing in their enemies eyes, to strike a terrour in their hearts: Where by the contrary, they can serue for neither, being not onely vnable to resist, but dangerous for shots, and giuing no outward showe against the enemy; beeing onely ordained, for betraying vnder trust, whereof honest men should be ashamed to beare the outward badge, not resembling the thing they are not. And for answere against these arguments, I know none but the olde Scots fashion; which if it be wrong, is no more to be allowed for ancientnesse, then the olde Masse is, which also our forefathers vsed.

The next thing that yee haue to take heed to, is your speaking and language; whereunto I ioyn your gesture, since action is one of the chieftest qualities, that is required in an oratour:<sup>1</sup> for as the tongue speaketh to the eares, so doeth the gesture speake to the eyes of the auditour.<sup>2</sup> In both your speaking and your gesture, vse a naturall and plaine forme, not faired with artifice:<sup>3</sup> for (as the French-men say) *Rien contre-faict fin*: but eschew all affectate formes in both.

In your language be plaine, honest, naturall, comely, cleane, short, and sententious, eschewing both the extremities, aswell in not vsing any rusticall corrupt leide, as booke-language, and pen and inke-horne termes:<sup>4</sup> and least of all mingard and effeminate tearmes. But let the greatest part of your eloquence consist in a naturall, cleare, and sensible forme of the deliuerie of your minde, builded euer vpon certaine and good grounds;<sup>5</sup> tempering it with grauitie, quicknesse, or merinesse, according to the subiect, and occasion of the time; not taunting in Theologie, nor alleadging and prophaning the Scripture in drinking purposes, as ouer many doe.

<sup>1</sup> Arist. 3. ad Theod.

<sup>2</sup> Cic. in orat. ad Q. frat. & ad Bren.

<sup>3</sup> Cic. 1. Offic.

<sup>4</sup> Id. eod.

<sup>5</sup> Cic. ad Q. frat. & ad Brut.

Vse also the like forme in your gesture; neither looking sillily, like a stupide pedant;<sup>1</sup> nor vnsetledly, with an vncouth morgue, like a new-comeouer Cavalier: but let your behaiour be naturall, graue, and according to the fashion of the cuntry.<sup>2</sup> Be not ouer-sparing in your courtesies, for that will be imputed to inciuitie and arrogancie:<sup>3</sup> nor yet ouer prodigall in iowking or nodding at euery step: for that forme of being popular, becommeth better aspiring *Absalons*, then lawfull Kings:<sup>4</sup> framing euer your gesture according to your present actions:<sup>5</sup> looking grauely and with a maiestie when yee sit in iudgement, or giue audience to Embassadours, homely, when ye are in priuate with your owne seruants; merily, when ye are at any pastime or merrie discourse; and let your countenance smell of courage and magnanimitie when ye are at the warres. And remember (I say ouer againe) to be plaine and sensible in your language:<sup>6</sup> for besides that it is the tongues office, to be the messenger of the mind, it may be thought a point of imbecillitie of spirit in a King, to speake obscurely, much more vntrewly; as if he stood in awe of any in vttering his thoughts.<sup>7</sup>

Remember also, to put a difference betwixt your forme of language in reasoning, and your pronouncing of sentences, or declaratour of your wil in iudgement, or any other waies in the points of your office:<sup>8</sup> For in the former case, yee must reason pleasantly and patiently, not like a king, but like a priuate man and a scholer; otherwaies, your impatience of contradiction will be interpreted to be for lacke of reason on your part. Where in the points of your office, ye should ripely aduise indeede, before yee giue foorth your sentence: but fra it be giuen foorth, the suffering of any contradiction diminisheth the maiestie of your authoritie, and maketh the processes endelsse.<sup>9</sup> The like forme would also bee obserued by all your inferiour Iudges and Magistrates.<sup>10</sup>

Now as to your writing, which is nothing else, but a forme of en-registrate speech; vse a plaine, short, but stately stile, both in your Proclamations and missiues, especially to forraine Princes. And if your engine spur you to write any workes, either in verse or in prose, I cannot but allow you to practise it: but take no longsome workes in hand, for distracting you from your calling.

Flatter not your selfe in your labours, but before they bee set foorth, let them first bee priuily censured by some of the best skilled men in that craft, that in these workes yee meddle with.<sup>11</sup> And because your writes will remaine as true pictures of your minde, to all posterities; let them bee free of all vncomelinesse and vn-honestie: and according to *Horace* his counsell

— *Nonumquam premantur in annum.*<sup>12</sup>

<sup>1</sup> Idem. 1. Off.

<sup>2</sup> Phil. ad Alex.

<sup>3</sup> Cic. 2. Off.

<sup>4</sup> Arist. 4. æth.

<sup>5</sup> Cic. ad At.

<sup>6</sup> Isoc. de reg. & in Euagr.

<sup>7</sup> Cic. 3. Off.

<sup>8</sup> Id. 1. Off.

<sup>9</sup> Isoc. ad Nic.

<sup>10</sup> Cic. ad Q. frat.

<sup>11</sup> Cic. 1. Off.

<sup>12</sup> De arte Poetica.



I meane both your verse and your prose; letting first that furie and heate, wherewith they were written, coole at leasure; and then as an vncouth iudge and censour, reusing them ouer againe, before they bee published,

— *quia nescit vox missa reuerti*.<sup>1</sup>

If yee would write worthily, choose subiects worthie of you, that bee not full of vanitie, but of vertue; eschewing obscuritie, and delighting euer to bee plaine and sensible. And if yee write in verse, remember that it is not the principall part of a Poeme to rime right, and flowe well with many pretie wordes: but the chiefe commendation of a Poeme is, that when the verse shall bee shaken sundrie in prose, it shall bee found so rich in quicke inuentions, and poeticke flowers, and in faire and pertinent comparisons; as it shall retaine the lustre of a Poeme, although in prose.<sup>2</sup> And I would also aduise you to write in your owne language: for there is nothing left to be saide in Greeke and Latine already; and ynew of poore schollers would match you in these languages; and besides that, it best becommeth a King to purifie and make famous his owne tongue; wherein he may goe before all his subjects; as it setteth him well to doe in all honest and lawfull things.

And amongst all vnnesessarie things that are lawfull and expedient, I thinke exercises of the bodie most commendable to be vsed by a young Prince, in such honest games or pastimes, as may further abilitie and maintaine health:<sup>3</sup> For albeit I graunt it to be most requisite for a King to exercise his engine, which surely with idlenesse will ruste and become blunt; yet certainly bodily exercises and games are very commendable;<sup>4</sup> as well for bannishing of idlenesse (the mother of all vice) as for making his bodie able and durable for trauell, which is very necessarie for a King.<sup>5</sup> But from this count I debarre all rough and violent exercises, as the footeball; meeter for laming, then making able the vsers thereof:<sup>6</sup> as likewise such tumbling trickes as only serue for Comoedians and Balladines, to win their bread with. But the exercises that I would haue you to vse (although but moderately, not making a craft of them) are running, leaping, wrastling, fencing, dancing, and playing at the caitch or tennise, archerie, palle maillé, and such like other faire and pleasant field-games.<sup>7</sup> And the honourablest and most commendable games that yee can vse, are on horsebacke:<sup>8</sup> for it becommeth a Prince best of any man, to be a faire and good horse-man.<sup>9</sup> Vse therefore to ride and danton great and couragious horses; that I may say of you, as *Philip* said of great *Alexander* his sonne, *Μακεδονία οὐ σε χωρεῖ*.<sup>10</sup> And specially vse such games on horse-backe, as may teach you to handle your armes thereon; such as the tilt, the ring, and low-riding for handling of your sword.

I cannot omit heere the hunting, namely with running hounds; which is the most honourable and noblest sorte thereof: for it is a theeuish forme of hunting,

<sup>1</sup> Idem eod.

<sup>2</sup> Ar. de art. Poet.

<sup>3</sup> Xen. 1. Cyr.

<sup>4</sup> Plat. 6. de leg.

<sup>5</sup> Ar. 7. & 8. pol.

<sup>6</sup> Cic. 1. Off.

<sup>7</sup> Pl. eod.

<sup>8</sup> Xen. in Cyr.

<sup>9</sup> Is. de iug.

<sup>10</sup> Plut. in Alex.

to shoote with gunnes and bowes; and greyhound hunting is not so martiall a game: But because I would not be thought a partiall praiser of this sport, I remit you to *Xenophon*,<sup>1</sup> an olde and famous writer, who had no minde of flattering you or me in this purpose: and who also setteth downe a faire paterne, for the education of a yong king, vnder the supposed name of *Cyrus*.<sup>2</sup>

As for hawking I condemne it not, but I must praise it more sparingly, because it neither resembleth the warres so neere as hunting doeth, in making a man hardie, and skilfully ridden in all grounds, and is more vncertaine and subiect to mischances; and (which is worst of all) is therethrough an extreme stirrer vp of passions: But in vsing either of these games, obserue that moderation, that ye slip not therewith the houres appointed for your affaires, which ye ought euer precisely to keepe;<sup>3</sup> remembring that these games are but ordained for you, in enabling you for your office, for the which ye are ordained.

And as for sitting house-pastimes, wherewith men by driuing time, spurre a free and fast ynough running horse (as the prouerbe is) although they are not profitable for the exercise either of minde or body,<sup>4</sup> yet can I not vtterly condemne them; since they may at times supply the roome, which being emptie, would be patent to pernicious idlenesse, *quia nihil potest esse vacuum*.<sup>5</sup> I will not therefore agree with the curiositie of some learned men in our aage, in forbidding cardes, dice, and other such like games of hazard; although otherwayes surely I reuerence them as notable and godly men: For they are deceiued therein, in founding their argument vpon a mistaken ground, which is, that the playing at such games, is a kind of casting of lot, and therefore vnlawfull; wherein they deceiue themselues: For the casting of lot was vsed for triall of the trewth in any obscure thing, that otherwayes could not be gotten cleared; and therefore was a sort of prophecie: where by the contrary, no man goeth to any of these playes, to cleare any obscure trewth, but onely to gage so much of his owne money, as hee pleaseth, vpon the hazard of the running of the cardes or dice, aswell as he would doe vpon the speede of a horse or a dog, or any such like gaigeour: And so, if they be vnlawfull, all gaigeours vpon vncertainties must likewayes be condemned: Not that thereby I take the defence of vaine carders and dicers, that waste their moyen, and their time (whereof fewe consider the pretiousnesse) vpon prodigall and continuall playing:<sup>6</sup> no, I would rather allow it to be discharged, where such corruption cannot be eschewed. But only I cannot condemne you at some times, when ye haue no other thing adoe (as a good King will be seldome) and are wearie of reading, or euill disposed in your person, and when it is foule and stormie weather; then, I say, may ye lawfully play at the cardes or tables: For as to dicing, I thinke it becommeth best deboshed souldiers to play at, on the head of their drums, being onely ruled by hazard, and subiect to knauish cogging. And as for the chesse, I thinke it ouer fond, because it is ouer-wise and Philosophicke a folly. For where

<sup>1</sup> In Cyn. 1. Cyr. & de rep. Lac.; Cic. 1. Offic.

<sup>2</sup> Arist. 10. Eth.

<sup>4</sup> Arist. 8. pol.

<sup>5</sup> Dan. de lus. al.

<sup>3</sup> Cyropædia.

<sup>6</sup> Cic. 1. Offic.



all such light playes, are ordained to free mens heads for a time, from the fashious thoughts on their affaires; it by the contrarie filleth and troubleth mens heads, with as many fashious toyes of the play, as before it was filled with thoughts on his affaires.

But in your playing, I would haue you to keepe three rules: first, or ye play, consider yee doe it onely for your recreation, and resolute to hazard the losse of all that ye play; and next, for that cause play no more then yee care to cast among Pages: and last, play alwaies faire play precisely, that ye come not in vse of tricking and lying in ieast: otherwise, if yee cannot keepe these rules, my counsell is that yee allutterly abstaine from these playes: For neither a madde passion for losse, nor falshood vsed for desire of gaine, can be called a play.

Now, it is not onely lawfull, but necessarie, that yee haue companie meete for euery thing yee take on hand, as well in your games and exercises, as in your graue and earnest affaires: But learne to distinguish time according to the occasion, choosing your companie accordingly.<sup>1</sup> Conferre not with hunters at your counsell, nor in your counsell affaires: nor dispatch not affaires at hunting or other games. And haue the like respect to the seasons of your aage, vsing your sortes of recreation and companie therefore, agreeing thereunto: For it becometh best, as kindest, euery aage to smell of their owne qualitie, insolence and vnlawful things beeing alwaies eschewed:<sup>2</sup> and not that a colt should draw the plough, and an olde horse run away with the harrowes. But take heede specially, that your companie for recreation, be chosen of honest persons, not defamed or vicious, mixing filthie talke with merrinesse,

*Corrumpunt bonos mores colloquia praua.*

And chiefly abstaine from haunting before your mariage, the idle companie of dames, which are nothing else, but *irritamenta libidinis*. Bee warre likewaies to abuse your selfe, in making your sporters your counsellors: and delight not to keepe ordinarily in your companie, Comœdians or Balladines:<sup>3</sup> for the Tyrans delighted most in them, glorying to bee both authors and actors of Comœdies and Tragedies themselues: Whereupon the answere that the poet *Philoxenus* disdainfully gaue to the Tyran of *Syracuse* there-anent, is now come in a prouerbe, *reduc me in latomias*.<sup>4</sup> And all the ruse that *Nero* made of himselfe when he died, was *Qualis artifex pereo?*<sup>5</sup> meaning of his skill in menstrally, and playing of Tragoedies; as indeede his whole life and death, was all but one Tragœdie.

Delight not also to bee in your owne person a player vpon instruments; especially on such as commonly men winne their liuing with: nor yet to be fine of any mechanicke craft: *Leur esprit s'en fuit au bout des doigts*, saith *Du Bartas*:<sup>6</sup> whose workes, as they are all most worthie to bee read by any Prince, or other good Christian; so would I especially wish you to bee well versed in them. But

<sup>1</sup> Isoc. de reg.; Cic. 1. Off.

<sup>2</sup> Ar. 2. ad Theod.

<sup>3</sup> Pl. 3. de rep.; Ar. 7. & 8. pol.; Sen. 1. ep. Dyon.

<sup>4</sup> Suidas.

<sup>5</sup> Suet. in Ner.

<sup>6</sup> 1. Sep.

spare not some-times by merie company, to be free from importunitie; for ye should be euer mooued with reason, which is the onely qualitie whereby men differ from beasts; and not with importunitie:<sup>1</sup> For the which cause (as also for augmenting your Maiestie) ye shall not be so facile of accesse-giuing at all times, as I haue beene; and yet not altogether retired<sup>2</sup> or locked vp,<sup>3</sup> like the Kings of *Persia*; appointing also certaine houres for publicke audience.<sup>4</sup>

And since my trust is, that God hath ordained you for moe Kingdomes then this (as I haue oft alreadie said) preasse by the outward behauour as well of your owne person, as of your court, in all indifferent things, to allure piece and piece, the rest of your kingdomes, to follow the fashions of that kingdome of yours, that yee finde most ciuill, easiest to be ruled, and most obedient to the Lawes: for these outward and indifferent things will serue greatly for allurements to the people, to embrace and follow vertue. But beware of thrawing or constraining them thereto; letting it bee brought on with time, and at leisure; specially by so mixing through alliance and daily conuersation, the inhabitants of euery kingdom with other, as may with time make them to grow and welde all in one: Which may easily be done betwixt these two nations, being both but one Ile of *Britaine*, and alreadie ioyned in vnitie of Religion and language. So that euen as in the times of our ancestours, the long warres and many bloodie battels betwixt these two countreys, bred a naturall and hereditarie hatred in euery of them, against the other: the vniting and welding of them hereafter in one, by all sort of friendship, commerce, and alliance, will by the contrary produce and maintaine a naturall and inseparable vnitie of loue amongst them. As we haue already (praise be to God) a great experience of the good beginning hereof, and of the quenching of the olde hate in the hearts of both the people; procured by the meanes of this long and happy amitie, betweene the Queene my dearest sister and me; which during the whole time of both our Reignes, hath euer beene inuiolably obserued.

And for conclusion of this my whole Treatise, remember my Sonne, by your trew and constant depending vpon God, to looke for a blessing to all your actions in your office: by the outward vsing thereof, to testifie the inward vprightnesse of your heart; and by your behauour in all indifferent things, to set foorth the viue image of your vertuous disposition; and in respect of the greatnesse and weight of your burthen, to be patient in hearing, keeping your heart free from præoccupation, ripe in concluding, and constant in your resolution:<sup>5</sup> For better it is to bide at your resolution, although there were some defect in it, then by daily changing, to effectuate nothing:<sup>6</sup> taking the paterne thereof from the microcosme of your owne body; wherein ye haue two eyes, signifying great foresight and prouidence, with a narrow looking in all things; and also two eares, signifying patient hearing, and that of both the parties: but ye haue but one tongue, for pronouncing a plaine, sensible, and vniforme sentence; and but one head, and

<sup>1</sup> Curt. 8.    <sup>2</sup> Liu. 35.    <sup>3</sup> Xen. in Ages.    <sup>4</sup> Cic. ad Q. frat.    <sup>5</sup> Thuc. 6.    <sup>6</sup> Dion. 52.



one heart, for keeping a constant & vniforme resolution, according to your apprehension: hauing two hands and two feete, with many fingers and toes for quicke execution, in employing all instruments meet for effectuating your deliberations.

But forget not to digest euer your passion, before ye determine vpon anything, since *Ira furor brevis est*:<sup>1</sup> vttering onely your anger according to the Apostles rule, *Irascimini, sed ne peccetis*:<sup>2</sup> taking pleasure, not only to reward, but to aduance the good, which is a chiefe point of a Kings glory (but make none ouer-great, but according as the power of the countrey may beare) and punishing the euill; but euery man according to his owne offence:<sup>3</sup> not punishing nor blaming the father for the sonne, nor the brother for the brother;<sup>4</sup> much lesse generally to hate a whole race for the fault of one: for *noxa caput sequitur*.<sup>5</sup>

And aboue all, let the measure of your loue to euery one, be according to the measure of his vertue; letting your fauour to be no longer tyed to any, then the continuance of his vertuous disposition shall deserue: not admitting the excuse vpon a iust reuenge, to procure ouersight to an iniurie: For the first iniurie is committed against the partie; but the parties reuenging thereof at his owne hand, is a wrong committed against you, in vsurping your office, whom-to onely the sword belongeth, for reuenging of all the iniuries committed against any of your people.

Thus hoping in the goodnes of God, that your naturall inclination shall haue a happy sympathie with these precepts, making the wise-mans scholemaster, which is the example of others, to bee your teacher, according to that old verse,

*Fœlix quem faciunt aliena pericula cautum;*

eschewing so the ouer-late repentance by your owne experience, which is the schoole-master of fooles; I wil for end of all, require you my Sonne, as euer ye thinke to deserue my fatherly blessing, to keepe continually before the eyes of your minde, the greatnesse of your charge:<sup>6</sup> making the faithfull and due discharge thereof, the principal butt ye shoot at in all your actions:<sup>7</sup> counting it euer the principall, and all your other actions but as accessories, to be employed as middesses for the furthering of that principall. And being content to let others excell in other things, let it be your chiefest earthly glory, to excell in your owne craft: according to the worthy counsel and charge of *Anchises* to his posteritie, in that sublime and heroicall Poet, wherein also my dicton is included;

*Excudent alij spirantia mollius æra,  
Credo equidem, & viuos ducent de marmore vultus,  
Orabunt causas meliùs, cœlique meatus  
Describent radio, & surgentia sydera dicent.  
Tu, regere imperio populos, Romane, memento  
(Hæ tibi erunt artes) pacique imponere morem,  
“ Parcere subiectis, & debellare superbos.”<sup>8</sup>*

<sup>1</sup> Hor. lib. 1. epist.

<sup>2</sup> Ephes. 4.

<sup>3</sup> Arist. 5. pol.

<sup>4</sup> Dion. 52.

<sup>5</sup> Plat. 9. de leg.

<sup>6</sup> Plat. in pol.

<sup>7</sup> Cic. 5. de rep.

<sup>8</sup> Virg 6. Æn.

THE TREW LAW OF FREE MONARCHIES: OR THE  
RECIPROCK AND MVTVALL DVETIE BETWIXT A  
FREE KING, AND HIS NATURALL SUBJECTS.

AN ADVERTISEMENT

TO THE READER.

**A**CCCEPT, I pray you (my deare countreyemen) as thankfully this Pamphlet that I offer vnto you, as lowingly it is written for your weale. I would be loath both to be faschious, and sectlesse: And therefore, if it be not sententious, at least it is short. It may be yee misse many things that yee looke for in it: But for excuse thereof, consider rightly that I onely lay downe herein the trew grounds, to teach you the right-way, without wasting time vpon refuting the aduersaries. And yet I trust, if ye will take narrow tent, ye shall finde most of their great gunnes payed home againe, either with contrary conclusions, or tacite obiections, suppose in a daigned forme, and indirectly: For my intention is to instruct, and not irritat, if I may eschew it. The profite I would wish you to make of it, is, as well so to frame all your actions according to these grounds, as may confirme you in the course of honest and obedient Subjects to your King in all times comming, as also, when ye shall fall in purpose with any that shall praise or excuse the by-past rebellions that brake foorth either in this countrey, or in any other, ye shall herewith bee armed against their Sirene songs, laying their particular examples to the square of these grounds. Whereby yee shall soundly keepe the course of righteous Iudgement, decerning wisely of euery action onely according to the qualitie thereof, and not according to your pre-iudged conceits of the committers: So shall ye, by reaping profit to your selues, turne my paine into pleasure. But least the whole Pamphlet runne out at the gaping mouth of this Preface, if it were any more enlarged; I end, with committing you to God, and me to your charitable censures.

THE TREW LAW OF FREE MONARCHIES: OR THE RECIPROCK  
AND MVTVALL DVETIE BETWIXT A FREE KING AND HIS  
NATURALL SUBJECTS.

As there is not a thing so necessarie to be knowne by the people of any land, next the knowledge of their God, as the right knowledge of their alleageance, according to the forme of gouernement established among them, especially in a *Monarchie* (which forme of gouernment, as resembling the Diuinitie, approacheth nearest to perfection, as all the learned and wise men from the beginning haue agreed vpon; Vnitie being the perfection of all things,) So hath the ignorance, and (which is worse) the seduced opinion of the multitude blinded by them, who thinke themselves able to teach and instruct the ignorants, procured the wracke and ouer-



throw of sundry flourishing Common-wealths; and heaped heauy calamities, threatning vtter destruction vpon others. And the smiling successe, that vnlawfull rebellions haue oftentimes had against Princes in aages past (such hath bene the misery, and iniquitie of the time) hath by way of practise strengthened many in their errour: albeit there cannot be a more deceiueable argument; then to iudge ay the iustnesse of the cause by the euent thereof; as hereafter shall be proued more at length. And among others, no Commonwealth, that euer hath bene since the beginning, hath had greater need of the trew knowledge of this ground, then this our so long disordered, and distracted Common-wealth hath: the misknowledge hereof being the onely spring, from whence haue flowed so many endlesse calamities, miseries, and confusions, as is better felt by many, then the cause thereof well knowne, and deeply considered. The naturall zeale therefore, that I beare to this my natiue countrie, with the great pittie I haue to see the so-long disturbance thereof for lacke of the trew knowledge of this ground (as I haue said before) hath compelled me at last to breake silence, to discharge my conscience to you my deare country men herein, that knowing the ground from whence these your many endlesse troubles haue proceeded, as well as ye haue already too-long tasted the bitter fruites thereof, ye may by knowledge, and eschewing of the cause escape, and diuert the lamentable effects that euer necessarily follow thereupon. I haue chosen then onely to set downe in this short Treatise, the trew grounds of the mutuall duetie, and alleageance betwixt a free and absolute Monarche, and his people; not to trouble your patience with answering the contrary propositions, which some haue not bene ashamed to set downe in writ, to the poysoning of infinite number of simple soules, and their owne perpetuall, and well deserued infamie: For by answering them, I could not haue eschewed whiles to pick, and byte wel saltly their persons; which would rather haue bred contentiousnesse among the readers (as they had liked or misliked) then sound instruction of the trewth: Which I protest to him that is the searcher of all hearts, is the onely marke that I shoot at herein.

First then, I will set downe the trew grounds, whereupon I am to build, out of the Scriptures, since Monarchie is the trew paterne of Diuinitie, as I haue already said: next, from the fundamental Lawes of our owne Kingdome, which nearest must concerne vs: thirdly, from the law of Nature, by diuers similitudes drawne out of the same: and will conclude syne by answering the most waighty and appearing incommodities that can be obiected.

The Princes duetie to his Subiects is so clearely set downe in many places of the Scriptures, and so openly confessed by all the good Princes, according to their oath in their Coronation, as not needing to be long therein, I shall as shortly as I can runne through it.

Kings are called Gods<sup>1</sup> by the propheticall King *Dauid*, because they sit vpon God his Throne in the earth, and haue the count of their administration to giue

<sup>1</sup> Psal. 82. 6.

vnto him. Their office is, *To minister Iustice and Iudgement to the people*,<sup>1</sup> as the same *David* saith: *To aduance the good, and punish the euill*,<sup>2</sup> as he likewise saith: *To establish good Lawes to his people, and procure obedience to the same*,<sup>3</sup> as diuers good Kings of *Iudah*<sup>4</sup> did: *To procure the peace of the people*, as the same *David* saith: <sup>5</sup> *To decide all controuersies that can arise among them*<sup>6</sup> as *Salomon* did: *To be the Minister of God for the weale of them that doe well, and as the minister of God, to take vengeance vpon them that doe euill*,<sup>7</sup> as *S. Paul* saith. And finally, *As a good Pastour, to goe out and in before his people*<sup>8</sup> as is said in the first of *Samuel*: *That through the Princes prosperitie, the peoples peace may be procured*,<sup>9</sup> as *Ieremie* saith.

And therefore in the Coronation of our owne Kings, as well as of euery Christian *Monarche* they giue their Oath, first to maintaine the Religion presently professed within their countrey, according to their lawes, whereby it is established, and to punish all those that should presse to alter, or disturbe the profession thereof. And next to maintaine all the lowable and good Lawes made by their predecessours, to see them put in execution, and the breakers and violaters thereof, to be punished, according to the tenour of the same: And lastly, to maintaine the whole countrey, and euery state therein, in all their ancient Priuiledges and Liberties, as well against all forreine enemies, as among themselues: And shortly to procure the weale and flourishing of his people, not onely in maintaining and putting to execution the olde lowable lawes of the countrey, and by establishing of new (as necessitie and euill maners will require) but by all other meanes possible to fore-see and preuent all dangers, that are likely to fall vpon them, and to maintaine concord, wealth, and ciuilitie among them, as a louing Father, and careful watchman, caring for them more then for himselfe, knowing himselfe to be ordained for them, and they not for him; and therefore countable to that great God, who placed him as his lieutenant ouer them, vpon the perill of his soule to procure the weale of both soules and bodies, as farre as in him lieth, of all them that are committed to his charge. And this oath in the Coronation is the clearest, ciuill, and fundamentall Law, whereby the Kings office is properly defined.

By the Law of Nature the King becomes a naturall Father to all his Lieges at his Coronation: And as the Father of his fatherly duty is bound to care for the nourishing, education, and vertuous gouernment of his children; euen so is the king bound to care for all his subiects. As all the toile and paine that the father can take for his children, will be thought light and well bestowed by him, so that the effect thereof redound to their profite and weale; so ought the Prince to doe towards his people. As the kindly father ought to foresee all inconuenients and dangers that may arise towards his children, and though with the hazard of his owne person presse to preuent the same; so ought the King towards his people. As the fathers wrath and correction vpon any of his children that offendeth, ought

<sup>1</sup> Psal. 101.<sup>2</sup> 2. Chron. 29; 2. King. 22; and 23. 2; chro. 34, & 35.<sup>7</sup> Rom. 13.<sup>3</sup> Psal. 101.<sup>5</sup> Psal. 72.<sup>8</sup> 1. Sam. 8.<sup>4</sup> 2. King. 18.<sup>6</sup> 1. King 3.<sup>9</sup> Ierem. 29.



to be by a fatherly chastisement seasoned with pitie, as long as there is any hope of amendment in them; so ought the King towards any of his Lieges that offend in that measure. And shortly, as the Fathers chiefe ioy ought to be in procuring his childrens welfare, reioycing at their weale, sorrowing and pitying at their euill, to hazard for their safetie, trauell for their rest, wake for their sleepe; and in a word, to thinke that his earthly felicitie and life standeth and liueth more in them, nor in himselfe; so ought a good Prince thinke of his people.

As to the other branch of this mutuall and reciproock band, is the duety and alleageance that the Lieges owe to their King: the ground whereof, I take out of the words of *Samuel*, dited by Gods Spirit, when God had giuen him commandement to heare the peoples voice in choosing and annointing them a King. And because that place of Scripture being well vnderstood, is so pertinent for our purpose, I haue insert herein the very words of the Text.

- 9 *Now therefore hearken to their voice: howbeit yet testifie vnto them, and shew them the maner of the King, that shall raigne ouer them.*
- 10 *So Samuel tolde all the wordes of the Lord vnto the people that asked a King of him.*
- 11 *And he said, This shall be the maner of the King that shall raigne ouer you: he will take your sonnes, and appoint them to his Charets, and to be his horsemen, and some shall runne before his Charet.*
- 12 *Also, hee will make them his captaines ouer thousands, and captaines ouer fifties, and to eare his ground, and to reape his haruest, and to make instruments of warre and the things that serue for his charets:*
- 13 *Hee will also take your daughters, and make them Apothicaries, and Cookes, and Bakers.*
- 14 *And hee will take your fields, and your vineyards, and your best Oliue trees, and giue them to his seruants.*
- 15 *And he will take the tenth of your seed, and of your Vineyards, and giue it to his Eunuches, and to his seruants.*
- 16 *And he will take your men seruants, and your maid-seruants, and the chiefe of your young men, and your asses, and put them to his worke.*
- 17 *He will take the tenth of your sheepe: and ye shall be his seruants.*
- 18 *And ye shall cry out at that day, because of your King, whom ye haue chosen you: and the Lord God will not heare you at that day.*
- 19 *But the people would not heare the voice of Samuel, but did say: Nay, but there shalbe a King ouer vs.*
- 20 *And we also will be all like other Nations, and our King shall iudge vs, and goe out before vs, and fight our battels.*

That these words, and discourses of *Samuel* were dited by Gods Spirit, it needs no further probation, but that it is a place of Scripture; since the whole Scripture is dited by that inspiration, as *Paul* saith: which ground no good

Christian will, or dare denie. Whereupon it must necessarily follow, that these speeches proceeded not from any ambition in *Samuel*, as one loath to quite the reines that he so long had ruled, and therefore desirous, by making odious the gouernment of a King, to dissuade the people from their farther importunate crauing of one: For, as the text proueth it plainly, he then conueened them to giue them a resolute grant of their demand, as God by his owne mouth commanded him, saying,

*Hearken to the voice of the people.*

And to presse to dissuade them from that, which he then came to grant vnto them, were a thing very impertinent in a wise man; much more in the Prophet of the most high God. And likewise, it well appeared in all the course of his life after, that so long refusing of their sute before came not of any ambition in him: which he well proued in praying, & as it were importuning God for the weale of *Saul*. Yea, after God had declared his reprobation vnto him, yet he desisted not, while God himselfe was wrath at his praying, and discharged his fathers suit in that errand. And that these words of *Samuel* were not vttered as a prophecie of *Saul* their first Kings defection, it well appeareth, as well because we heare no mention made in the Scripture of any his tyrannie and oppression, (which, if it had beene, would not haue been left vn painted out therein, as well as his other faults were, as in a trew mirrour of all the Kings behauiours, whom it describeth) as likewise in respect that *Saul* was chosen by God for his vertue, and meet qualities to gouerne his people: whereas his defection sprung after-hand from the corruption of his owne nature, & not through any default in God, whom they that thinke so, would make as a step-father to his people, in making wilfully a choise of the vnmeetest for gouerning them, since the election of that King lay absolutely and immediatly in Gods hand. But by the contrary it is plaine, and euident, that this speech of *Samuel* to the people, was to prepare their hearts before the hand to the due obedience of that King, which God was to giue vnto them; and therefore opened vp vnto them, what might be the intollerable qualities that might fall in some of their kings, thereby preparing them to patience, not to resist to Gods ordinance: but as he would haue said; Since God hath granted your importunate suit in giuing you a king, as yee haue else committed an error in shaking off Gods yoke, and ouer-hastie seeking of a King; so beware yee fall not into the next, in casting off also rashly that yoke, which God at your earnest suite hath laid vpon you, how hard that euer it seeme to be. For as ye could not haue obtained one without the permission and ordinance of God, so may yee no more, fro hee be once set ouer you, shake him off without the same warrant. And therefore in time arme your selues with patience and humilitie, since he that hath the only power to make him, hath the onely power to vnmake him; and ye onely to obey, bearing with these straits that I now foreshew you, as with the finger of God, which lieth not in you to take off.



And will ye consider the very wordes of the text in order, as they are set downe, it shall plainly declare the obedience that the people owe to their King in all respects.

First, God commandeth *Samuel* to doe two things: the one, to grant the people their suit in giuing them a king; the other, to forewarne them, what some kings will doe vnto them, that they may not thereafter in their grudging and murmuring say, when they shal feelee the snares here fore-spoken; We would neuer haue had a king of God, in case when we craued him, hee had let vs know how wee would haue beene vsed by him, as now we finde but ouer-late. And this is meant by these words:

*Now therefore hearken vnto their voice: howbeit yet testifie vnto them, and shew them the maner of the King that shall rule ouer them.*

And next, *Samuel* in execution of this commandement of God, hee likewise doeth two things.

First, hee declares vnto them, what points of iustice and equitie their king will breake in his behauour vnto them: And next he putteth them out of hope, that wearie as they will, they shall not haue leaue to shake off that yoke, which God through their importunitie hath laide vpon them. The points of equitie that the King shall breake vnto them, are expressed in these words:

- use of people*
- 11 *He will take your sonnes, and appoint them to his Charets, and to be his horsemen, and some shall run before his Charet.*
  - 12 *Also he will make them his captaines ouer thousands, and captaines ouer fifties, and to eare his ground, and to reape his haruest, and to make instruments of warre, and the things that serue for his charets.*
  - 13 *He will also take your daughters, and make them Apothecaries, and Cookes, and Bakers.*

The points of Iustice, that hee shall breake vnto them, are expressed in these wordes:

- use of products*
- 14 *Hee will take your fields, and your vineyards, and your best Oliue trees, and giue them to his seruants.*
  - 15 *And he will take the tenth of your seede, and of your vineyards, and giue it to his Eunuches and to his seruants: and also the tenth of your sheepe.*

As if he would say; The best and noblest of your blood shall be compelled in slauish and seruile offices to serue him: and not content of his owne patrimonie, will make vp a rent to his owne vse out of your best lands, vineyards, orchards, and store of cattell: So as inuerting the Law of nature, and office of a King, your persons and the persons of your posteritie, together with your lands, and all that ye possesse shall serue his priuate vse, and inordinate appetite.

And as vnto the next point (which is his fore-warning them, that, weary as they will, they shall not haue leaue to shake off the yoke, which God thorow their importunity hath laid vpon them) it is expressed in these words:

18 *And yee shall crie out at that day, because of your King whom yee haue chosen you: and the Lord will not heare you at that day.*

As he would say; When ye shall finde these things in prooffe that now I forewarne you of, although you shall grudge and murmure, yet it shal not be lawful to you to cast it off, in respect it is not only the ordinance of God, but also your selues haue chosen him vnto you, thereby renouncing for euer all priuiledges, by your willing consent out of your hands, whereby in any time hereafter ye would claime, and call backe vnto your selues againe that power, which God shall not permit you to doe. And for further taking away of all excuse, and retraction of this their contract, after their consent to vnder-lie this yoke with all the burthens that hee hath declared vnto them, he craues their answeere, and consent to his proposition: which appeareth by their answeere, as it is expressed in these words:

19 *Nay, but there shall be a King ouer vs.* 20 *And we also will be like all other nations: and our king shall iudge vs, and goe out before vs and fight our battels.*

As if they would haue said; All your speeches and hard conditions shall not skarre vs, but we will take the good and euill of it vpon vs, and we will be content to beare whatsoever burthen it shal please our King to lay vpon vs, aswell as other nations doe. And for the good we will get of him in fighting our battels, we will more patiently beare any burden that shall please him to lay on vs.

Now then, since the erection of this Kingdome and Monarchie among the Iewes, and the law thereof may, and ought to bee a paterne to all Christian and well founded Monarchies, as beeing founded by God himselfe, who by his Oracle, and out of his owne mouth gaue the law thereof: what liberty can broiling spirits, and rebellious minds claime iustly to against any Christian Monarchie; since they can claime to no greater libertie on their part, nor the people of God might haue done, and no greater tyranny was euer executed by any Prince or tyrant, whom they can object, nor was here fore-warned to the people of God, (and yet all rebellion countermanded vnto them) if tyrannizing ouer mens persons, sonnes, daughters and seruants; redacting noble houses, and men, and women of noble blood, to slauish and seruile offices; and extortion, and spoile of their lands and goods to the princes owne priuate vse and commoditie, and of his courteurs, and seruants, may be called a tyrannie?

And that this proposition grounded vpon the Scripture, may the more clearly appeare to be trew by the practise oft prooued in the same booke, we neuer reade, that euer the Prophets perswaded the people to rebell against the Prince, how wicked soeuer he was.

When *Samuel* by Gods command pronounced to the same king *Saul*, that his kingdome was rent from him, and giuen to another (which in effect was a degrading of him) yet his next action following that, was peaceably to turne home, and with floods of teares to pray to God to haue some compassion vpon him.<sup>1</sup>

<sup>1</sup> 1. Sam. 15.



And *David*, notwithstanding hee was inaugurate in that same degraded Kings roome, not onely (when he was cruelly persecuted, for no offence; but good service done vnto him) would not presume, hauing him in his power, skantly, but with great reuerence, to touch the garment of the annoynted of the Lord, and in his words blessed him:<sup>1</sup> but likewise, when one came to him vinting himselfe vntrewly to haue slaine *Saul*, hee, without forme of proces, or triall of his guilt, caused onely for guiltinesse of his tongue, put him to sodaine death.<sup>2</sup>

And although there was neuer a more monstrous persecutor, and tyrant nor *Achab* was: yet all the rebellion, that *Elias* euer raised against him, was to flie to the wildernes: where for fault of sustentation, he was fed with the Corbies. And I thinke no man will doubt but *Samuel*, *Dauid*, and *Elias*, had as great power to perswade the people, if they had like to haue employed their credite to vproares & rebellions against these wicked kings, as any of our seditious preachers in these daies of whatsoever religion, either in this countrey or in France, had, that busied themselues most to stir vp rebellion vnder cloake of religion. This farre the only loue of veritie, I protest, without hatred at their persons, haue mooued me to be somewhat satyricke.

And if any will leane to the extraordinarie examples of degrading or killing of kings in the Scriptures, thereby to cloake the peoples rebellion, as by the deed of *Iehu*, and such like extraordinaries: I answere, besides that they want the like warrant that they had, if extraordinarie examples of the Scripture shall bee drawne in daily practise; murder vnder traist as in the persons of *Ahud*, and *Iael*; theft, as in the persons of the *Israelites* comming out of *Egypt*; lying to their parents to the hurt of their brother, as in the person of *Iacob*, shall all be counted as lawfull and allowable vertues, as rebellion against Princes. And to conclude, the practise through the whole Scripture prooueth the peoples obedience giuen to that sentence in the law of God:

Thou shalt not rayle vpon the Iudges, neither speake euill of the ruler of thy people.

To end then the ground of my proposition taken out of the Scripture, let two speciall, and notable examples, one vnder the law, another vnder the Euangel, conclude this part of my alleageance. Vnder the lawe, *Ieremie* threatneth the people of God with vtter destruction for rebellion to *Nabuchadnezar* the king of Babel:<sup>3</sup> who although he was an idolatrous persecuter, a forraine King, a Tyrant, and vsurper of their liberties; yet in respect they had once receiued and acknowledged him for their king, he not only commandeth them to obey him, but euen to pray for his prosperitie, adioyning the reason to it; because in his prosperitie stood their peace.<sup>4</sup>

And vnder the Euangel, that king, whom *Paul* bids the *Romanes* obey and serue for conscience sake, was *Nero* that bloody tyrant, an infamie to his aage, and

<sup>1</sup> 1. Sam. 24.

<sup>2</sup> 2. Sam. 1.

<sup>3</sup> Ier. 27.

<sup>4</sup> Iere. 29.

a monster to the world, being also an idolatrous persecuter, as the King of *Babel* was. If then Idolatrie and defection from God, tyranny ouer their people, and persecution of the Saints, for their profession sake, hindred not the Spirit of God to command his people vnder all highest paine to giue them all due and heartie obedience for conscience sake, giuing to *Cæsar* that which was *Cæsars*, and to God that which was Gods, as Christ saith; and that this practise throughout the booke of God agreeth with this lawe, which he made in the erection of that Monarchie (as is at length before deduced) what shamelesse presumption is it to any Christian people now adayes to claime to that vnlawfull libertie, which God refused to his owne peculiar and chosen people? <sup>1</sup> Shortly then to take vp in two or three sentences, grounded vpon all these arguments, out of the lawe of God, the duetie, and alleageance of the people to their lawfull king, their obedience, I say, ought to be to him, as to Gods Lieutenant in earth, obeying his commands in all thing, except directly against God, as the commands of Gods Minister, acknowledging him a Iudge set by God ouer them, hauing power to iudge them, but to be iudged onely by God, whom to onely hee must giue count of his iudgement; fearing him as their Iudge, louing him as their father; praying for him as their protectour; for his continuance, if he be good; for his amendement, if he be wicked; following and obeying his lawfull commands, eschewing and flying his fury in his vnlawfull, without resistance, but by sobbes and teares to God, according to that sentence vsed in the primitiue Church in the time of the persecution.

*Preces, & Lachrymæ sunt arma Ecclesiæ.*

Now, as for the describing the alleageance, that the lieges owe to their natieue King, out of the fundamentall and ciuill Lawe, especially of this contrey, as I promised, the ground must first be set downe of the first maner of establishing the Lawes and forme of gouernement among vs; that the ground being first right laide, we may thereafter build rightly thereupon. Although it be trew (according to the affirmation of those that pryde themselues to be the scourges of Tyrants) that in the first beginning of Kings rising among the Gentiles, in the time of the first aage, diuers commonwealths and societies of men choosed out one among themselves, who for his vertues and valour, being more eminent then the rest, was chosen out by them, and set vp in that roome, to maintaine the weakest in their right, to throw downe oppressours, and to foster and continue the societie among men; which could not otherwise, but by vertue of that vnitie be wel done: yet these examples are nothing pertinent to vs; because our Kingdome and diuers other Monarchies are not in that case, but had their beginning in a farre contrary fashion.

For as our Chronicles beare witnesse, this Ile, and especially our part of it, being scanty inhabited, but by very few, and they as barbarous and scant of ciuilitie, as number, there comes our first King *Fergus*, with a great number with

<sup>1</sup> Iere. 13.



him, out of *Ireland*, which was long inhabited before vs, and making himself master of the countrey, by his owne friendship, and force, as well of the *Ireland-men* that came with him, as of the countrey-men that willingly fell to him, hee made himselfe King and Lord, as well of the whole landes, as of the whole inhabitants within the same. Thereafter he and his successours, a long while after their being Kinges, made and established their lawes from time to time, and as the occasion required. So the trewth is directly contrarie in our state to the false affirmation of such seditious writers, as would perswade vs, that the Lawes and state of our countrey were established before the admitting of a king: where by the countrarie ye see it plainely prooued, that a wise king comming in among barbares, first established the estate and forme of gouernement, and thereafter made lawes by himselfe, and his successours according thereto.

The kings therefore in *Scotland* were before any estates or rankes of men within the same, before any Parliaments were holden, or lawes made: and by them was the land distributed (which at the first was whole theirs) states erected and decerned, and formes of gouernement deuised and established: And so it followes of necessitie, that the kings were the authors and makers of the Lawes, and not the Lawes of the kings. And to prooue this my assertion more clearly, it is euident by the rolles of our Chancellery (which containe our eldest and fundamentall Lawes) that the King is *Dominus omnium bonorum*, and *Dominus directus totius Dominij*, the whole subiects being but his vassals, and from him holding all their lands as their ouer-lord, who according to good seruices done vnto him, chaungeth their holdings from tacke to fee, from ward to blanch, erecteth new Baronies, and vniteth olde, without aduice or authoritie of either Parliament or any other subalterin iudiciall seate: So as if wrong might bee admitted in play (albeit I grant wrong should be wrong in all persons) the King might haue a better colour for his pleasure, without further reason, to take the land from his lieges, as ouerlord of the whole, and doe with it as pleaseth him, since all that they hold is of him, then, as foolish writers say, the people might vnmake the king, and put an other in his roome: But either of them as vnlawful, and against the ordinance of God, ought to be alike odious to be thought, much lesse put in practise.

And according to these fundamentall Lawes already alledged, we daily see that in the Parliament (which is nothing else but the head Court of the king and his vassals) the lawes are but craued by his subiects, and onely made by him at their rogation, and with their aduice: For albeit the king make daily statutes and ordinances, enioyning such paines thereto as hee thinkes meet, without any aduice of Parliament or estates; yet it lies in the power of no Parliament, to make any kinde of Lawe or Statute, without his Scepter be to it, for giuing it the force of a Law. And although diuers changes haue beene in other countries of the blood Royall, and kingly house, the kingdome being reft by conquest from one to another, as in our neighbour countrey in *England*, (which was neuer in ours) yet the same ground of the kings right ouer all the land, and subiects thereof re-

maineth alike in all other free Monarchies, as well as in this: For when the Bastard of *Normandie* came into *England*, and made himselfe king, was it not by force, and with a mighty army? Where he gaue the Law, and tooke none, changed the Lawes, inuerted the order of gouernement, set downe the strangers his followers in many of the old possessours roomes, as at this day well appeareth a great part of the Gentlemen in *England*, beeing come of the *Norman* blood, and their old Lawes, which to this day they are ruled by, are written in his language, and not in theirs: And yet his successours haue with great happinesse enioyed the Crowne to this day; Whereof the like was also done by all them that conquered them before.

And for conclusion of this point, that the king is ouer-lord ouer the whole lands, it is likewise daily proued by the Law of our hoordes, of want of Heires, and of Bastardies: For if a hoord be found vnder the earth, because it is no more in the keeping or vse of any person, it of the law pertains to the king. If a person, inheritour of any lands or goods, dye without any sort of heires, all his landes and goods returne to the king. And if a bastard die vnrehabled without heires of his bodie (which rehabling onely lyes in the kings hands) all that hee hath likewise returnes to the king. And as ye see it manifest, that the King is ouer-Lord of the whole land: so is he Master ouer euery person that inhabiteth the same, hauing power ouer the life and death of euery one of them: For although a iust Prince will not take the life of any of his subiects without a cleare law; yet the same lawes whereby he taketh them, are made by himselfe, or his predecessours; and so the power flowes alwaies from him selfe; as by daily experience we see, good and iust Princes will from time to time make new lawes and statutes, adioyning the penalties to the breakers thereof, which before the law was made, had beene no crime to the subiect to haue committed. Not that I deny the old definition of a King, and of a law; which makes the king to bee a speaking law, and the Law a dumbe king: for certainly a king that gouernes not by his lawe, can neither be countable to God for his administration, nor haue a happy and established raigne: For albeit it be trew that I haue at length prooued, that the King is aboue the law, as both the author and giuer of strength thereto; yet a good king will not onely delight to rule his subiects by the lawe, but euen will conforme himselfe in his owne actions thereunto, alwaies keeping that ground, that the health of the common-wealth be his chiefe lawe; And where he sees the lawe doubtfulsome or rigorous, hee may interpret or mitigate the same, lest otherwise *Summum ius* bee *summa iniuria*: And therefore generall lawes, made publikely in Parliamēt, may vpon known respects to the King by his authoritie bee mitigated, and suspended vpon causes onely known to him.

As likewise, although I haue said, a good king will frame all his actions to be according to the Law; yet is hee not bound thereto out of his good will, and for good example-giuing to his subiects: For as in the law of abstaining from eating of flesh in *Lenton*, the king will, for examples sake, make his owne house to obserue



the Law; yet no man will thinke he needs to take a licence to eate flesh. And although by our Lawes, the bearing and wearing of hag-buts, and pistolets be forbidden, yet no man can find any fault in the King, for causing his traine vse them in any raide vpon the Borderers, or other malefactours or rebellious subiects. So as I haue alreadie said, a good King, although hee be aboue the Law, will subiect and frame his actions thereto, for examples sake to his subiects, and of his owne free-will, but not as subiect or bound thereto.

Since I haue so clearly prooued then out of the fundamentall lawes and practise of this country, what right & power a king hath ouer his land and subiects, it is easie to be vnderstood, what allegiance & obedience his lieges owe vnto him; I meane alwaies of such free Monarchies as our king is, and not of electiue kings, and much lesse of such sort of gouernors, as the dukes of *Venice* are, whose Aristocratick and limited gouernment, is nothing like to free Monarchies; although the malice of some writers hath not beene ashamed to mis-know any difference to be betwixt them. And if it be not lawfull to any particular Lordes tenants or vassals, vpon whatsoever pretext, to controll and displace their Master, and ouer-lord (as is clearer nor the Sunne by all Lawes of the world) how much lesse may the subiects and vassals of the great ouer-lord the KING controll or displace him? And since in all inferiour iudgements in the land, the people may not vpon any respects displace their Magistrates, although but subaltern: for the people of a borough, cannot displace their Prouost before the time of their election: nor in Ecclesiasticall policie the flocke can vpon any pretence displace the Pastor, nor iudge of him: yea euen the poore Schoolemaster cannot be displaced by his schollers: If these, I say (whereof some are but inferiour, subaltern, and temporall Magistrates, and none of them equall in any sort to the dignitie of a King) cannot be displaced for any occasion or pretext by them that are ruled by them: how much lesse is it lawfull vpon any pretext to controll or displace the great Prouost, and great Schoole-master of the whole land: except by inuerting the order of all Law and reason, the commanded may be made to command their commander, the iudged to iudge their Iudge, and they that are gouerned, to gouerne their time about their Lord and gouernour.

And the agreement of the Law of nature in this our ground with the Lawes and constitutions of God, and man, already alledged, will by two similitudes easily appeare. The King towards his people is rightly compared to a father of children, and to a head of a body composed of diuers members: For as fathers, the good Princes, and Magistrates of the people of God acknowledged themselues to their subiects. And for all other well ruled Common-wealths, the stile of *Pater patriæ* was euer, and is commonly vsed to Kings. And the proper office of a King towards his Subiects, agrees very wel with the office of the head towards the body, and all members thereof: For from the head, being the seate of Iudgement, proceedeth the care and foresight of guiding, and preuenting all euill that may come to the body or any part thereof. The head cares for the body, so doeth the King

for his people. As the discourse and direction flowes from the head, and the execution according thereunto belongs to the rest of the members, euery one according to their office: so it is betwixt a wise Prince, and his people. As the iudgement comming from the head may not onely imploy the members, euery one in their owne office, as long as they are able for it; but likewise in case any of them be affected with any infirmitie must care and prouide for their remedy, in-case it be curable, and if otherwise, gar cut them off for feare of infecting of the rest: euen so is it betwixt the Prince, and his people. And as there is euer hope of curing any diseased member by the direction of the head, as long as it is whole; but by the contrary, if it be troubled, all the members are partakers of that paine, so is it betwixt the Prince and his people.

And now first for the fathers part (whose naturall loue to his children I described in the first part of this my discourse, speaking of the dutie that Kings owe to their Subiects) consider, I pray you what duetie his children owe to him, & whether vpon any pretext whatsoeuer, it wil not be thought monstrous and vn-naturall tō his sons, to rise vp against him, to control him at their appetite, and when they thinke good to sley him, or to cut him off, and adopt to themselues any other they please in his roome: Or can any pretence of wickednes or rigor on his part be a iust excuse for his children to put hand into him? And although we see by the course of nature, that loue vseth to descend more then to ascend, in case it were trew, that the father hated and wronged the children neuer so much, will any man, endued with the least sponke of reason, thinke it lawfull for them to meet him with the line? Yea, suppose the father were furiously following his sonnes with a drawn sword, is it lawfull for them to turne and strike againe, or make any resistance but by flight? I thinke surely, if there were no more but the example of bruit beasts & vnreasonable creatures, it may serue well enough to qualifie and proue this my argument. We reade often the pietie that the Storkes haue to their olde and decayed parents: And generally wee know, that there are many sorts of beasts and fowles, that with violence and many bloody strokes will beat and banish their yong ones from them, how soone they perceiue them to be able to fend themselues; but wee neuer read or heard of any resistance on their part, except among the vipers; which prooues such persons, as ought to be reasonable creatures, and yet vnnaturally follow this example, to be endued with their viperous nature.

And for the similitude of the head and the body, it may very well fall out that the head will be forced to garre cut off some rotten members (as I haue already said) to keep the rest of the body in integritie: but what state the body can be in, if the head, for any infirmitie that can fall to it, be cut off, I leaue it to the readers iudgement.

So as (to conclude this part) if the children may vpon any pretext that can be imagined, lawfully rise vp against their Father, cut him off, & choose any other whom they please in his roome; and if the body for the weale of it, may for any



infirmities that can be in the head, strike it off, then I cannot deny that the people may rebell, controll, and displace, or cut off their king at their owne pleasure, and vpon respects moouing them. And whether these similitudes represent better the office of a King, or the offices of Masters or Deacons of crafts, or Doctors in Physicke (which iolly comparisons are vsed by such writers as maintaine the contrary proposition) I leaue it also to the readers discretion.

And in case any doubts might arise in any part of this treatise, I wil (according to my promise) with the solution of foure principall and most weightie doubts, that the aduersaries may object, conclude this discourse. And first it is casten vp by diuers, that employ their pennes vpon Apologies for rebellions and treasons, that euery man is borne to carry such a naturall zeale and duety to his common-wealth, as to his mother; that seeing it so rent and deadly wounded, as whiles it will be by wicked and tyrannous Kings, good Citizens will be forced, for the naturall zeale and duety they owe to their owne natiue countrey, to put their hand to worke for freeing their common-wealth from such a pest.

Whereunto I giue two answeres: First, it is a sure Axiome in *Theologie*, that euill should not be done, that good may come of it: The wickednesse therefore of the King can neuer make them that are ordained to be iudged by him, to become his Iudges. And if it be not lawfull to a priuate man to reuenge his priuate iniury vpon his priuate aduersary (since God hath onely giuen the sword to the Magistrate) how much lesse is it lawfull to the people, or any part of them (who all are but priuate men, the authoritie being alwayes with the Magistrate, as I haue already proued) to take vpon them the vse of the sword, whom to it belongs not, against the publicke Magistrate, whom to onely it belongeth.

Next, in place of relieuing the common-wealth out of distresse (which is their onely excuse and colour) they shall heape double distresse and desolation vpon it; and so their rebellion shall procure the contrary effects that they pretend it for: For a king cannot be imagined to be so vnruely and tyrannous, but the common-wealth will be kept in better order, notwithstanding thereof, by him, then it can be by his way-taking. For first, all sudden mutations are perillous in common-wealths, hope being thereby giuen to all bare men to set vp themselues, and flie with other mens feathers, the reines being loosed to all the insolencies that disordered people can commit by hope of impunitie, because of the loosenesse of all things.

And next, it is certaine that a king can neuer be so monstrously vicious, but hee will generally fauour iustice, and maintaine some order, except in the particulars, wherein his inordinate lustes and passions cary him away; where by the contrary, no King being, nothing is vnlawfull to none: And so the olde opinion of the Philosophers prooues trew, That better it is to liue in a Common-wealth, where nothing is lawfull, then where all things are lawfull to all men; the Common-wealth at that time resembling an vndanted young horse that hath casten his rider: For as the diuine Poet DV BARTAS sayth, *Better it were to suffer some*

*disorder in the estate, and some spots in the Common-wealth, then in pretending to reforme, utterly to overthrow the Republicke.*

The second obiection they ground vpon the curse that hangs ouer the common-wealth, where a wicked king reigneth: and, say they, there cannot be a more acceptable deed in the sight of God, nor more dutiful to their common-weale, then to free the countrey of such a curse, and vindicate to them their libertie, which is naturall to all creatures to craue.

Whereunto for answer, I grant indeed, that a wicked king is sent by God for a curse to his people, and a plague for their sinnes: but that it is lawfull to them to shake off that curse at their owne hand, which God hath laid on them, that I deny, and may so do iustly. Will any deny that the king of *Babel* was a curse to the people of God, as was plainly fore-spoken and threatned vnto them in the prophecie of their captiutie? And what was *Nero* to the Christian Church in his time? And yet *Jeremy* and *Paul* (as yee haue else heard) commanded them not onely to obey them, but heartily to pray for their welfare.

It is certaine then (as I haue already by the Law of God sufficiently proued) that patience, earnest prayers to God, and amendment of their liues, are the onely lawful means to moue God to relieue them of that heauie curse. As for vindicating to themselues their owne libertie, what lawfull power haue they to reuoke to themselues againe those priuiledges, which by their owne consent before were so fully put out of their hands? for if a Prince cannot iustly bring backe againe to himself the priuiledges once bestowed by him or his predecessors vpon any state or ranke of his subiects; how much lesse may the subiects reauue out of the princes hand that superioritie, which he and his Predecessors haue so long brooked ouer them?

But the vnhappy iniquitie of the time, which hath oft times giuen ouer good successe to their treasonable attempts, furnisheth them the ground of their third obiection: For, say they, the fortunate successe that God hath so oft giuen to such enterprises, proueth plainly by the practise, that God fauoured the iustnesse of their quarrell.

To the which I answer, that it is trew indeed, that all the successe of battels, as well as other wordly things, lyeth onely in Gods hand: And therefore it is that in the Scripture he takes to himselfe the style of God of Hosts. But vpon that generall to conclude, that hee euer giues victory to the iust quarrell, would proue, the *Philistims*, and diuers other neighbour enemies of the people of God to haue oft times had the iust quarrel against the people of God, in respect of the many victories they obtained against them. And by that same argument they had also iust quarrell against the Arke of God: For they wan it in the field, and kept it long prisoner in their countrey. As likewise by all good Writers, as well Theologues, as other, the Duels and singular combats are disallowed; which are onely made vpon pretence, that God will kith thereby the iustice of the quarrell: For wee must consider that the innocent partie is not innocent before God: And



therefore God will make oft times them that haue the wrong side reuenge iustly his quarrell; and when he hath done, cast his scourge in the fire; as he oft times did to his owne people, stirring vp and strengthening their enemies, while they were humbled in his sight, and then deliuered them in their hands. So God, as the great Iudge may iustly punish his Deputie, and for his rebellion against him stir vp his rebels to meet him with the like: And when it is done, the part of the instrument is no better then the diuels part is in tempting and torturing such as God committeth to him as his hangman to doe: Therefore, as I said in the beginning, it is oft times a very deceiueable argument, to iudge of the cause by the euent.

And the last obiection is grounded vpon the mutuall paction and adstipulation (as they call it) betwixt the King and his people, at the time of his coronation: For there, say they, there is a mutuall paction, and contract bound vp, and sworne betwixt the king, and the people: Whereupon it followeth, that if the one part of the contract or the Indent bee broken vpon the Kings side, the people are no longer bound to keep their part of it, but are thereby freed of their oath: For (say they) a contract betwixt two parties, of all Law frees the one partie, if the other breake vnto him.

As to this contract alledged made at the coronation of a King, although I deny any such contract to bee made then, especially containing such a clause irritant as they alledge; yet I confesse, that a king at his coronation, or at the entry to his kingdome, willingly promiseth to his people, to discharge honorably and trewly the office giuen him by God ouer them: But presuming that thereafter he breaks his promise vnto them neuer so inexcusable; the question is, who should bee iudge of the breake, giuing vnto them, this contract were made vnto them neuer so sicker, according to their alleageance. I thinke no man that hath but the smallest entrance into the ciuill Law, will doubt that of all Law, either ciuill or municipal of any nation, a contract cannot be thought broken by the one partie, and so the other likewise to be freed therefro, except that first a lawfull triall and cognition be had by the ordinary Iudge of the breakers thereof: Or else euery man may be both party and Iudge in his owne cause; which is absurd once to be thought. Now in this contract (I say) betwixt the king and his people, God is doubtles the only Iudge, both because to him onely the king must make count of his administration (as is oft said before) as likewise by the oath in the coronation, God is made iudge and reuenger of the breakers: For in his presence, as only iudge of oaths, all oaths ought to be made. Then since God is the onely Iudge betwixt the two parties contractors, the cognition and reuenge must onely appertaine to him: It followes therefore of necessitie, that God must first giue sentence vpon the King that breaketh, before the people can thinke themselues freed of their oath. What iustice then is it, that the partie shall be both iudge and partie, vsurping vpon himselfe the office of God, may by this argument easily appeare: And shall it lie in the hands of headlesse multitude, when they please to weary off subiection, to cast off the yoake of gouernement that God hath laid vpon them, to

iudge and punish him, whom-by they should be iudged and punished, and in that case, wherein by their violence they kythe themselues to be most passionate parties, to vse the office of an vngracious Iudge or Arbiter? Nay, to speak trewly of that case, as it stands betwixt the king and his people, none of them ought to iudge of the others break: For considering rightly the two parties at the time of their mutuall promise, the king is the one party, and the whole people in one body are the other party. And therefore since it is certaine, that a king, in case so it should fal out, that his people in one body had rebelled against him, hee should not in that case, as thinking himselfe free of his promise and oath, become an vtter enemy, and practise the wreake of his whole people and natiue country: although he ought iustly to punish the principall authours and bellowes of that vniuersall rebellion: how much lesse then ought the people (that are alwaies subiect vnto him, and naked of all authoritie on their part) presse to iudge and ouer-throw him? otherwise the people, as the one partie contracters, shall no sooner challenge the king as breaker, but hee assoone shall iudge them as breakers: so as the victors making the tyners the traitors (as our prouerbe is) the partie shall aye become both iudge and partie in his owne particular, as I haue already said.

✓ And it is here likewise to be noted, that the duty and alleageance, which the people sweareth to their prince, is not only bound to themselues, but likewise to their lawfull heires and posterity, the lineall succession of crowns being begun among the people of God, and happily continued in diuers christian commonwealths: So as no obiection either of heresie, or whatsoever priuate statute or law may free the people from their oath-giuing to their king, and his succession, established by the old fundamentall lawes of the kingdome: For, as hee is their heritable ouer-lord, and so by birth, not by any right in the coronation, commeth to his crowne; it is a like vnlawful (the crowne euer standing full) to displace him that succeedeth thereto, as to eiect the former: For at the very moment of the expiring of the king reigning, the nearest and lawful heire entreth in his place: And so to refuse him, or intrude another, is not to holde out vncomming in, but to expell and put out their righteous King. And I trust at this time whole *France* acknowledgeth the superstitious rebellion of the liguers, who vpon pretence of heresie, by force of armes held so long out, to the great desolation of their whole cuntry, their natiue and righteous king from possessing of his owne crowne and naturall kingdome.

Not that by all this former discourse of mine, and Apologie for kings, I meane that whatsoever errors and intollerable abominations a soueraigne prince commit, hee ought to escape all punishment, as if thereby the world were only ordained for kings, & they without controlment to turne it vpside down at their pleasure: but by the contrary, by remitting them to God (who is their onely ordinary Iudge) I remit them to the sorest and sharpest schoolemaster that can be deuised for them: for the further a king is preferred by God aboue all other ranks & degrees



of men, and the higher that his seat is aboue theirs, the greater is his obligation to his maker. And therefore in case he forget himselfe (his vnthankfulnes being in the same measure of height) the sadder and sharper will his correction be; and according to the greatnes of the height he is in, the weight of his fall wil recompense the same: for the further that any person is obliged to God, his offence becomes and growes so much the greater, then it would be in any other. *Ioues* thunder-claps light oftner and sorer vpon the high & stately oakes, then on the low and supple willow trees: and the highest bench is sliddriest to sit vpon. Neither is it euer heard that any king forgets himselfe towards God, or in his vocation; but God with the greatnesse of the plague reuengeth the greatnes of his ingratitude: Neither thinke I by the force and argument of this my discourse so to perswade the people, that none will hereafter be raised vp, and rebell against wicked Princes. But remitting to the iustice and prouidence of God to stirre vp such scourges as pleaseth him, for punishment of wicked kings (who made the very vermine and filthy dust of the earth to bridle the insolencie of proud *Pharaoh*) my onely purpose and intention in this treatise is to perswade, as farre as lieth in me, by these sure and infallible grounds, all such good Christian readers, as beare not onely the naked name of a Christian, but kith the fruites thereof in their daily forme of life, to keep their hearts and hands free from such monstrous and vnnaturall rebellions, whensoever the wickednesse of a Prince shall procure the same at Gods hands: that, when it shall please God to cast such scourges of princes, and instruments of his fury in the fire, ye may stand vp with cleane handes, and vnspotted consciences, hauing prooued your selues in all your actions trew Christians toward God, and dutifull subiects towards your King, hauing remitted the judgement and punishment of all his wrongs to him, whom to onely of right it appertaineth.

But crauing at God, and hoping that God shall continue his blessing with vs, in not sending such fearefull desolation, I heartily wish our kings behauiour so to be, and continue among vs, as our God in earth, and louing Father, endued with such properties as I described a King in the first part of this Treatise. And that ye (my deare countrey men, and charitable readers) may presse by all means to procure the prosperitie and welfare of your King; that as hee must on the one part thinke all his earthly felicitie and happinesse grounded vpon your weale, caring more for himselfe for your sake then for his owne, thinking himselfe onely ordained for your weale; such holy and happy emulation may arise betwixt him and you, as his care for your quietnes, and your care for his honour and preseruati-  
 tion, may in all your actions daily striue together, that the Land may thinke themselues blessed with such a King, and the king may thinke himselfe most happy in ruling ouer so louing and obedient subiects.

FINIS.

TRIPLICI NODO, TRIPLEX CUNEUS. OR AN APOLOGIE FOR  
THE OATH OF ALLEGIANCE.

AGAINST THE TWO BREVES OF POPE PAVLVS QVINTVS, AND  
THE LATE LETTER OF CARDINALL BELLARMINE TO  
G. BLACKWEL THE ARCH-PRIEST.

**W**HAT a monstrous, rare, nay neuer heard-of Treacherous attempt, was plotted within these few yeeres here in England, for the destruction of Mee, my Bed-fellow, and our posteritie, the whole house of Parliament, and a great number of good subjects of all sorts and degrees; is so famous already through the whole world by the infamie thereof, as it is needlesse to bee repeated or published any more; the horror of the sinne it selfe doeth so lowdly proclaime it. For if those crying sinnes, (whereof mention is made in the Scripture)<sup>1</sup> haue that epithet giuen them for their publique infamie, and for procuring as it were with a lowd cry from heauen a iust vengeance and recompense, and yet those sinnes are both old and too common, neither the world, nor any one Countrey being euer at any time cleane voyd of them: If those sinnes (I say) are said in the Scripture to cry so lowd; What then must this sinne doe, plotted without cause, infinite in crueltie, and singular from all examples? What proceeded hereupon is likewise notorious to the whole world; our Iustice onely taking hold vpon the offenders, and that in as honourable and publique a forme of Triall, as euer was vsed in this Kingdome.

2. For although the onely reason they gaue for plotting so heinous an attempt, was the zeale they caried to the Romish Religion; yet were neuer any other of that profession the worse vsed for that cause, as by our gracious Proclamation immediatly after the discouery of the said fact doeth plainly appeare: onely at the next sitting downe againe of the Parliament, there were Lawes made, setting downe some such orders as were thought fit for preuenting the like mischiefe in time to come. Amongst which a forme of OATH was framed to be taken by my Subiects, whereby they should make a cleare profession of their resolution, faithfully to persist in their obedience vnto mee, according to their naturall allegiance; To the end that I might hereby make a separation, not onely betweene all my good Subiects in generall, and vnfathfull Traitors, that intended to withdraw themselues from my obedience; But specially to make a separation betweene so many of my Subiects, who although they were otherwise Popishly affected, yet retained in their hearts the print of their naturall dutie to their Soueraigne; and those who being caried away with the like fanaticall zeale that the Powder-Traitors were, could not containe themselues within the bounds of their naturall Allegiance, but thought diuersitie of religion a safe pretext for all kinde of trea-

<sup>1</sup> Gen. 4. 10.



sons, and rebellions against their Soueraigne. Which godly and wise intent, God did blesse with successe accordingly: For very many of my Subiects that were Popishly affected, aswell Priests, as Layicks, did freely take the same Oath: whereby they both gaue me occasion to thinke the better of their fidelitie, and likewise freed themselues of that heauie slander, that although they were fellow professors of one Religion with the powder-Traitors, yet were they not ioyned with them in treasonable courses against their Soueraigne; whereby all quietly minded Papists were put of despaire, and I gaue a good prooffe that I intended no persecution against them for conscience cause, but onely desired to be secured of them for ciuill obedience, which for conscience cause they were bound to performe.

3. But the diuel could not haue deuised a more malicious tricke for interrupting this so calme and clement a course, then fell out by the sending hither, and publishing a *Breue* of the Popes, countermanding all them of his profession to take this Oath; Thereby sowing new seeds of ielousie betweene me and my Popish Subiects, by stirring them vp to disobey that lawfull commandement of their Soueraigne, which was ordeined to bee taken of them as a pledge of their fidelitie; And so by their refusall of so iust a charge, to giue mee so great and iust a ground for punishment of them, without touching any matter of conscience: throwing themselues needlesly into one of these desperate straits; either with the losse of their lives and goods to renounce their Allegiance to their naturall Soueraigne; or else to procure the condemnation of their soules by renouncing the Catholicke faith, as he alleadgeth.

4. And on the other part, although disparitie of Religion (the Pope being head of the contrary part) can permit no intelligence nor intercourse of messengers betweene mee and the Pope: yet there being no denounced warre betweene vs, he hath by this action broken the rules of common ciuilitie and iustice between Christian Princes, in thus condemning me vnheard, both by accounting me a persecutor, which cannot be but implied by exhorting the Papists to endure Martyrdome; as likewise by so straitly commanding all those of his profession in England, to refuse the taking of this Oath; thereby refusing to professe their naturall obedience to me their Soueraigne. For if he thinke himselfe my lawfull Iudge, wherefore hath he condemned me vnheard? And, if he haue nothing to doe with me and my gouernment (as indeed he hath not) why doeth he *mittere falcem in alienam messem*, to meddle betweene me and my Subiects, especially in matters that meereely and onely concerne ciuill obedience? And yet could *Pius Quintus* in his greatest fury and auowed quarrell against the late Queene, doe no more iniurie vnto her; then hee hath in this case offered vnto mee, without so much as a pretended or an alleadged cause. For what difference there is, betweene the commanding Subiects to rebel, and loosing them from their Oath of Allegiance as *Pius Quintus* did; and the commanding of Subiects not to obey in making profession of their Oath of their dutifull Allegiance, as this Pope hath now done: no man can easily discerne.

5. But to draw neere vnto his *Breue*, wherein certainly hee hath taken more paines then he needed, by setting downe in the said *Breue* the whole body of the

Oath at length; whereas the onely naming of the Title thereof might as well haue serued, for any answere hee hath made thereunto (making *Vna litura*, that is, the flat and generall condemnation of the whole Oath to serue for all his refutation.) Therein hauing as well in this respect as in the former, dealt both vndiscreetly with me, and iniuriously with his owne Catholickes. With mee; in not refuting particularly what speciall words he quarrelled in that Oath; which if hee had done, it might haue beene that for the fatherly care I haue not to put any of my Subiects to a needlesse extremitie, I might haue beene contented in some sort to haue reformed or interpreted those wordes. With his owne Catholickes: for either if I had so done, they had beene thereby fully eased in that businesse; or at least if I would not haue condescended to haue altered any thing in the saide Oath, yet would thereby some appearance or shadow of excuse haue been left vnto them for refusing the same: not as seeming thereby to swarue from their Obedience and Allegiance vnto mee, but onely beeing stayed from taking the same vpon the scrupulous tendernesse of their consciences, in regard of those particular words which the Pope had noted and condemned therein.

And now let vs heare the words of his thunder.

POPE PAVLVS THE FIFT, TO THE ENGLISH CATHOLICKES.

WELBELOUED Sonnes, Salutation and Apostolicall Benediction. *The tribulations and calamities, which yee haue continually sustained for the keeping of the Catholike Faith, haue alwayes afflicted vs with great grieve of minde. But for as much as we vnderstand that at this time all things are more grievous, our affliction hereby is wonderfully increased. For wee haue heard how you are compelled, by most grievous punishments set before you, to goe to the Churches of Heretikes, to frequent their assemblies, to be present at their Sermons. Truly wee doe vndoubtedly beleue, that they which with so great constancie and fortitude, haue hitherto indured most cruell persecutions and almost infinite miseries, that they may walke without spot in the Law of the Lord; will neuer suffer themselves to be defiled with the communion of those that haue forsaken the diuine Law. Yet notwithstanding, being compelled by the zeale of our Pastorall Office, and by our Fatherly care which we doe continually take for the saluation of your soules, we are inforced to admonish and desire you, that by no meanes you come unto the Churches of the Heretickes, or hear their Sermons, or communicate with them in their Rites, lest you incurre the wrath of God: For these things may ye not doe without indamaging the worship of God, and your owne saluation. As likewise you cannot, without most euident and grievous wronging of Gods Honour, bind your selues by the Oath, which in like maner we haue heard with very great grieve of our heart is administred vnto you, of the tenor vnder-written. viz.*

I A.B. doe trewly and sincerely acknowledge, professe, testifie and declare in my conscience before God and the world, That our Soueraigne Lord King JAMES, is lawfull King of this Realme, and of all other his Maiesties Dominions and Coun-



treys: And that the *Pope* neither of himselfe, nor by any authority of the Church or Sea of *Rome*, or by any other meanes with any other, hath any power or authoritie to depose the King, or to dispose of any of his Maiesties Kingdomes or Dominions, or to authorize any forreigne Prince to inuade or annoy him or his Countreys, or to discharge any of his Subiects of their Allegiance and obedience to his Maiestie, or to giue Licence or leaue to any of them to beare Armes, raise tumults, or to offer any violence or hurt to his Maiesties Royall Person, State or Gouernment, or to any of his Maiesties subiects within his Maiesties Dominions. Also I doe sweare from my heart, that, notwithstanding any declaration or sentence of Excommunication, or depriuation made or granted, or to be made or granted, by the *Pope* or his successors, or by any Authoritie deriued, or pretended to be deriued from him or his Sea, against the said King, his heires or successors, or any absolution of the said subiects from their obedience; I will beare faith and trew Allegiance to his Maiestie, his heires and successors, and him and them will defend to the vttermost of my power, against all conspiracies and attempts whatsoever, which shalbe made against his or their Persons, their Crowne and dignitie, by reason or colour of any such sentence, or declaration, or otherwise, and will doe my best endeouour to disclose and make knowne vnto his Maiestie, his heires and successors, all Treasons and traiterous conspiracies, which I shall know or heare of, to be against him or any of them. And I doe further sweare, That I doe from my heart abhorre, detest and abiure as impious and Hereticall, this damnable doctrine and position, That Princes which be excommunicated or depriued by the *Pope*, may be deposed or murthered by their Subiects or any other whatsoever. And I doe beleue, and in conscience am resolved, that neither the *Pope* nor any person whatsoever, hath power to absolue me of this Oath, or any part thereof; which I acknowledge by good and full authoritie to bee lawfully ministred vnto mee, and doe renounce all Pardons and Dispensations to the contrarie. And all these things I doe plainely and sincerely acknowledge and sweare, according to these expresse words by me spoken, and according to the plaine and common sense and vnderstanding of the same words, without any Equiuocation, or mentall euasion, or secret reseruatioun whatsoever. And I do make this Recognition and acknowledgment heartily, willingly, and trewly, vpon the trew faith of a Christian. So helpe me God.

*Which things since they are thus; it must evidently appeare vnto you by the words themselues, That such an Oath cannot be taken without hurting of the Catholike Faith and the saluation of your soules; seeing it conteines many things which are flat contrary to Faith and saluation. Wherefore wee doe admonish you, that you doe vtterly abstaine from taking this and the like Oathes: which thing wee doe the more earnestly require of you, because wee haue experience of the constancie of your faith, which is tried like gold in the fire of perpetuall tribulation. Wee doe well know, that you will cheerfully vnder-goe all kinde of cruell torments whatsoever, yea and constantly endure*

*death itselfe, rather then you will in any thing offend the Maiestie of GOD. And this our confidence is confirmed by those things, which are dayly reported vnto vs, of the singular vertue, valour, and fortitude which in these last times doeth no lesse shine in your Martyrs, then it did in the first beginning of the Church. Stand therefore, your loynes being girt about with veritie, and hauing on the brest-plate of righteousness, taking the shield of Faith, be ye strong in the Lord, and in the power of his might; And let nothing hinder you. Hee which will crowne you, and doeth in Heauen behold your conflicts, will finish the good worke which hee hath begun in you. You know how hee hath promised his disciples, that hee will neuer leaue them Orphanes: for hee is faithfull which hath promised. Hold fast therefore his correction, that is, being rooted and grounded in Charitie, whatsoever ye doe, whatsoever ye indeuour, doe it with one accord, in simplicitie of heart, in meekenesse of Spirit, without murmuring or doubting. For by this doe all men know that we are the disciples of CHRIST, if we haue loue one to another. Which charitie, as it is very greatly to be desired of all faithfull Christians; So certainly it is altogether necessary for you, most blessed sonnes. For by this your charitie, the power of the diuel is weakened, who doeth so much assaile you, since that power of his is especially vpheld by the contentions and disagreement of our sonnes. Wee exhort you therefore by the bowels of our Lord IESVS CHRIST, by whose loue we are taken out of the iawes of eternall death; That above all things, you would haue mutuall charitie among you. Surely Pope Clement the eight of happy memory, hath giuen you most profitable precepts of practising brotherly charitie one to another, in his Letters in forme of a Breue, to our welbeloued sonne M. George Arch-priest of the Kingdome of England, dated the 5. day of the month of October 1602. Put them therefore diligently in practise, and be not hindered by any difficultie or doubtfulnessse. We command you that ye doe exactly obserue the words of those letters, and that yee take and vnderstand them simply as they sound, and as they lie; all power to interpret them otherwise, being taken away. In the meane while, we will neuer cease to pray to the Father of Mercies, that he would with pitie behold your afflictions and your paines; And that he would keepe and defend you with his continuall protection: whom wee doe gently greet with our Apostolicall Benediction. Dated at Rome at S. Marke, vnder the Signet of the Fisherman, the tenth of the Calends of October, 1606. the second yeere of our Popedome.*

#### THE ANSWERE TO THE FIRST BREVE.

FIRST, the *Pope* expresseth herein his sorrow, for that persecution which the Catholiques sustaine for the faiths sake. Wherein, besides the maine vntrewth whereby I am so iniuriously vsed, I must euer auow and maintaine, as the trewth is according to mine owne knowledge, that the late Queene of famous memory, neuer punished any Papist for Religion, but that their owne punishment was euer extorted out of her hands against her will, by their owne misbehauour, which both the time and circumstances of her actions will manifestly make prooffe of. For before *Pius Quintus* his excommunication giuing her ouer for a prey, and setting



her Subiects at libertie to rebell, it is well knowne she neuer medled with the blood or hard punishment of any Catholique, nor made any rigorous Lawes against them. And since that time, who list to compare with an indifferent eye, the manifold intended inuasions against her whole kingdome, the forreine practises, the internall publike rebellions, the priuate plots and machinations, poysonings, murthers, and all sorts of deuises, & *quid non* ? daily set abroad; and all these wares continually fostered and fomented from *Rome*; together with the continuall corrupting of her Subiects, as well by temporall bribes, as by faire and specious promises of eternall felicitie; and nothing but booke vpon booke publicly set foorth by her fugitiues, for approbation of so holy designs: who list, I say, with an indifferent eye, to looke on the one part, vpon those infinite and intolerable temptations, and on the other part vpon the iust, yet moderate punishment of a part of these hainous offenders; shall easily see that that blessed defunct LADIE was as free from persecution, as they shall free these hellish Instruments from the honour of martyrdome.

5. But now hauing sacrificed (if I may so say) to the *Manes* of my late Predecessour, I may next with Saint PAVL iustly vindicate mine owne fame, from those innumerable calumnies spread against me, in testifying the trewth of my behaiour toward the Papists: wherein I may trewly affirme, That whatsoeuer was her iust and mercifull Gouvernement ouer the Papists in her time, my Gouvernement ouer them since hath so farre exceeded hers, in Mercie and Clemencie, as not onely the Papists themselues grewe to that height of pride, in confidence of my mildnesse, as they did directly expect, and assuredly promise to themselues libertie of Conscience, and equalitie with other of my Subiects in all things; but euen a number of the best and faithfulliest of my sayde Subiects, were cast in great feare and amazement of my course and proceedings, euer prognosticating and iustly suspecting that sowre fruite to come of it, which shewed it selfe clearely in the Powder-Treason. How many did I honour with Knighthood, of knowen and open Recusants ? How indifferently did I giue audience, and accesse to both sides, bestowing equally all fauours and honours on both professions ? How free and continuall accesse, had all rankes and degrees of Papists in my Court and company ? And aboue all, how frankely and freely did I free Recusants of their ordinarie paiments ? Besides, it is euident what strait order was giuen out of my owne mouth to the Iudges, to spare the execution of all Priests, (notwithstanding their conuiction,) ioyning thereunto a gracious Proclamation, whereby all Priests, that were at libertie, and not taken, might goe out of the contrey by such a day: my generall Pardon hauing beene extended to all conuicted Priestes in prison: whereupon they were set at libertie as good Subiects: and all Priests that were taken after, sent over and set at libertie there. But time and paper will faile me to make enumeration of all the benefits and fauours that I bestowed in generall and particular vpon Papists: in recounting whereof, euery scrape of my penne would serue but for a blot of the Popes ingratitude and iniustice, in meating me

with so hard a measure for the same. So as I thinke I haue sufficiently, or at least with good reason wiped the *teares*<sup>1</sup> from the Popes eyes, for complaining vpon such persecution, who if hee had beene but politickely wise, although hee had had no respect to Iustice and Veritie, would haue in this complaint of his, made a difference betweene my present time, and the time of the late Queene: And so by his commending of my moderation, in regard of former times, might haue had hope to haue moued me to haue continued in the same clement course: For it is a trew saying, that alledged kindnesse vpon noble mindes, doeth euer worke much. And for the maine vntrewth of any persecution in my time, it can neuer bee prooued, that any were, or are put to death since I came to the Crowne for cause of Conscience; except that now this discharge giuen by the Pope to all Catholiques to take their Oath of Allegiance to me, be the cause of the due punishment of many: which if it fall out to be, let the blood light vpon the Popes head, who is the onely cause thereof.

As for the next point contained in his *Breue* concerning his discharge of all Papists to come to our Church, or frequent our rites and ceremonies, I am not to meddle at this time with that matter, because my errand now onely is to publish to the world the Iniurie and Iniustice done vnto me, in discharging my subiects to make profession of their obedience vnto mee. Now as to the point where the Oath is quarrelled, it is set downe in few, but very weighty words; to wit, *That it ought to be cleare vnto all Catholiques, that this Oath cannot bee taken with safetie of the Catholique Faith, and of their soules health, since it containeth many things that are plainely and directly contrarie to their faith and saluation.* To this, the old saying fathered vpon the Philosopher, may very fitly bee applied, *Multa dicit, sed pauca probat*; nay indeed, *Nihil omnino probat*: For how the profession of the naturall Allegiance of Subiects to their Prince can be directly opposite to the faith and saluation of soules, is so farre beyond my simple reading in Diuinitie, as I must thinke it a strange and new Assertion, to proceed out of the mouth of that pretended generall Pastor of all Christian soules. I reade indeede, and not in one, or two, or three places of Scripture, that Subiects are bound to obey their Princes for conscience sake, whether they were good or wicked Princes. So said the people to Ioshua,<sup>2</sup> *As wee obeyed Moses in all things, so will wee obey thee.* So the Prophet<sup>3</sup> commanded the peoples to obey the King of Babel, saying, *Put your neckes vnder the yoke of the King of Babel, and serue him and his people, that yee may liue.* So were the children of Israel, vnto Pharaoh,<sup>4</sup> desiring him to let them goe: so to Cyrus,<sup>5</sup> obtaining leaue of him to returne to build the Temple: and in a word, the Apostle willed all men *to bee subiect to the higher powers for conscience sake.*<sup>6</sup> Agreeable to the Scriptures did the Fathers teach. Augustine<sup>7</sup> speaking of Iulian, saith, *Iulian was an vnbeleeuing Emperour: was hee not an Apostata, an Oppressour, and an Idolater? Christian Souldiers serued that vnbeleeuing Emperour: when*

<sup>1</sup> Magno cum animi moerore, &c.

<sup>2</sup> Iosh. 1. 17.

<sup>3</sup> Iere. 27. 12.

<sup>4</sup> Exod. 5. 1.

<sup>5</sup> Ezra 1. 3.

<sup>7</sup> August. in Psalm. 124.

<sup>6</sup> Rom. 13. 5.



they came to the cause of CHRIST, they would acknowledge no Lord, but him that is in heauen. When hee would haue them to worship Idoles and to sacrifice, they preferred GOD before him: But when he said, Goe forth to fight, inuade such a nation, they presently obeyed. They distinguished their eternall Lord from their temporall, and yet were they subiect euen vnto their temporall Lord, for his sake that was their eternall Lord and Master. Tertullian<sup>1</sup> fayth, A Christian is enemie to no man, much lesse to the Prince, whom hee knoweth to bee appointed of God; and so of necessitie must loue, reuerence and honour him, and wish him safe with the whole Romane Empire, so long as the world shall last: for so long shall it endure. Wee honour therefore the Emperour in such sort, as is lawfull for vs, and expedient for him, as a man, the next vnto God, and obtaining from God, whatsoeuer hee hath, and onely inferiour vnto God. This the Emperour himselfe would: for so is hee greater then all, while hee is inferiour onely to the trew God. Iustine Martyr;<sup>2</sup> Wee onely adore the Lord, and in all other things cheerefully performe seruice to you, professing that you are Emperours and Princes of men. Ambrose;<sup>3</sup> I may lament, weepe, and sigh: My tears are my weapons against their armes, souldiers, and the Gothes also: such are the weapons of a Priest: Otherwise, neither ought I, neither can I resist. Optatus;<sup>4</sup> Ouer the Emperour, there is none but onely God, that made the Emperour. And Gregory<sup>5</sup> writing to Mauritius about a certaine Law, that a Souldier should not be receiued into a Monasterie, *nondum expleta militia*, The Almighty God, sayeth hee, holdes him guiltie, that is not vpright to the most excellent Emperour in all things that hee doeth or speaketh. And then calling himselfe the vnworthy seruant of his Godlinesse, goeth on the whole Epistle to shewe the iniustice of that Lawe, as hee pretendeth: and in the end concludes his Epistle with these wordes; *I being subiect to your command, haue caused the same Law to be sent through diuers parts of your Dominions: and because the Law it selfe doeth not agree to the Law of the Almighty God, I haue signified the same by my Letters to your most excellent Lordship: so that on both parts I haue payed what I ought; because I haue yeelded obedience to the Emperour, and haue not holden my peace, in what I thought for God.* Now how great a contrarietie there is, betwixt this ancient Popes action in obeying an Emperour by the publication of his Decree, which in his owne conscience hee thought vnlawfull, and this present Popes prohibition to a Kings Subiects from obedience vnto him in things most lawfull and meere temporall; I remit it to the Readers indifferencie. And answerably to the Fathers, spake the Councels in their Decrees. As the Councell of Arles,<sup>6</sup> submitting the whole Councell to the Emperour in these wordes; *These things wee haue decreed to be presented to our Lord the Emperour, beseeching his Clemencie, that if wee haue done lesse then wee ought, it may be supplied by his wisdome: if any thing otherwise then reason re-*

<sup>1</sup> Tertull. ad Scap.

<sup>2</sup> Iust. Martyr. Apol. 2. ad Ant. Imperat.

<sup>3</sup> Amb. in orat. cont. Auxentium, de basilicis traden. habetur lib. 5. epist. Ambr.

<sup>4</sup> Optat. contra Parmen. lib. 3.

<sup>5</sup> Greg. Mag. Epist. lib. 2. indict. 11. Epist. 61.

<sup>6</sup> Concil. Arelatense sub Carolo Mag. Can. 26.

*quireth, it may be corrected by his iudgement: if any thing be found fault with by vs with reason, it may be perfected by his aide with GODS fauourable assistance.*

But why should I speak of *Charles* the great, to whome not one Councell, but sixe seuerall Councels, *Frankesford, Arles, Tours, Chalons, Ments and Rhemes* did wholly submit themselues? and not rather speake of all the generall Councels, that of *Nice, Constantinople, Ephesus, Chalcedon*, and the foure other commonly so reputed, which did submit themselues to the Emperours wisdom and piety in all things? Insomuch as that of *Ephesus* repeated it foure seuerall times, *That they were summoned by the Emperours Oracle, becke, charge and command, and betooke themselues to his Godlinesse; beseeching him, that the Decrees made against Nestorius and his followers, might by his power have their full force and validitie,*<sup>1</sup> as appeareth manifestly in the Epistle of the generall Councell of *Ephesus* written *ad Augustos*. I also reade that Christ said, *His kingdome*<sup>2</sup> *was not of this world,* bidding, *Giue to Cesar what was Cesars,*<sup>3</sup> *and to God what was Gods.* And I euer held it for an infallible Maxime in Diuinitie, That temporall obedience to a temporall Magistrate, did nothing repugne to matters of faith or saluation of soules: But that euer temporall obedience was against faith and saluation of soules, as in this *Breue* is alledged, was neuer before heard nor read of in the Christian Church. And therefore I would haue wished the *Pope*, before hee had set downe this commandement to all Papists here, That, since in him is the power by the infability of his spirit, to make new Articles of Faith when euer it shall please him; he had first set it downe for an Article of Faith, before he had commended all Catholikes to beleue and obey it. I will then conclude the answere to this point in a *Dilemma*.

Either it is lawfull to obey the Soueraigne in temporall things, or not.

1. If it be lawfull (as I neuer heard nor read it doubted of) then why is the *Pope* so vniust, and so cruell towards his owne Catholikes, as to command them to disobey their Soueraignes lawfull commandement?

2. If it be vnlawfull, why hath hee neither expressed any one cause or reason thereof, nor yet will giue them leaue (nay rather hee should command and perswade them in plaine termes) not to liue vnder a King whom vnto they ought no obedience?

And as for the vehement exhortation vnto them to perseuere in constancie, and to suffer Martyrdome and all tribulation for this cause; it requireth no other answer then onely this, That if the ground be good whereupon hee hath commanded them to stand, then exhortation to constancie is necessarie: but if the ground be vniust and naught (as indeed it is, and I haue in part already proued) then this exhortation of his can worke no other effect, then to make him guilty of the blood of so many of his sheepe, whom hee doeth thus wilfully cast away; not onely to the needlesse losse of their liues, and ruine of their families, but euen to

<sup>1</sup> Vide Epistolam generalis Conc. Ephes. ad August.

<sup>2</sup> Iohn 18. 36.

<sup>3</sup> Matt. 22. 21.



the laying on of a perpetuall slander vpon all Papists; as if no zealous Papist could be a trew subiect to his Prince; and that the profession of that Religion, and the Temporall obedience to the Ciuill Magistrate, were two things repugnant and incompatible in themselues. But euill information, and vntrew reports<sup>1</sup> (which being caried so farre as betweene this and *Rome*, cannot but increase by the way) might haue abused the *Pope*, and made him dispatch this *Breue* so rashly: For that great Citie, Queene of the World, and as themselues confesse,<sup>2</sup> mystically *Babylon*, cannot but be so full of all sorts of Intelligencies. Besides, all complainers (as the Catholikes here are) be naturally giuen to exaggerate their owne griefs, and multiply thereupon: So that it is no wonder, that euen a iust Iudge sitting there, should vpon wrong information, giue an vnrighteous sentence; as some of their owne partie doe not sticke to confesse, That *Pius Quintus* was too rashly caried vpon wrong information, to pronounce his thunder of Excommunication vpon the late Queene. And it may be, the like excuse shall hereafter be made for the two *Breués*, which *Clemens Octauus*<sup>3</sup> sent to ENGLAND immediatly before her death, for debarring me of the Crowne, or any other that either would professe, or any wayes tolerate the professours of our Religion; contrary to his manifold vowes and protestations, *simul & eodem tempore*, and as it were, deliuered *vno & eodem spiritu*, to diuers of my ministers abroad, professing such kindnesse, and shewing such forwardnesse to aduance me to this Crowne. Nay, the most part of Catholikes here, finding this *Breue* when it came to their handes to bee so farre against Diuinitie, Policie, or naturall sense, were firmly perswaded that it was but a counterfeit Libell, deuised in hatred of the Pope; or at the farthest, a thing hastily done vpon wrong information, as was before said. Of which opinion were not onely the simpler sort of Papists, but euen some amongst them of best account, both for learning and experience; whereof the Archpriest himselfe was one: But for soluing of this obiection, the Pope himselfe hath taken new paines by sending foorth a second *Breue*, onely for giuing faith and confirmation to the former; That whereas before, his sinne might haue beene thought to haue proceeded from rashnesse and mis-information, he will now willfully and willingly double the same; whereof the Copy followeth.

TO OVR BELOVED SONNES THE ENGLISH CATHOLIKES,  
PAULUS P. P. VTUS.

BELOUED sonnes, Salutation and Apostolicall Benediction. *It is reported vnto vs, that there are found certaine amongst you, who when as we haue sufficiently declared by our Letters, dated the last yeere on the tenth of the Calends of October in the forme of a Breue, that yee cannot with safe Conscience take the Oath, which was then re-*

<sup>1</sup> Famavires acquirit eundo.

<sup>2</sup> Eusebius, Oecumenius and Leo hold, that by *Babylon*, in 1. Pet. 5. 13. *Rome* is meant, as the Rhemists themselues confesse.

<sup>3</sup> See the Relation of the whole proceedings against the Traitours, Garnet and his confederates.

quired of you; and when as wee haue further straitly commanded you, that by no meanes yee should take it: yet there are some, I say, among you, which dare now affirme, that such Letters concerning the forbidding of the Oath, were not written of our owne accord, or of our owne proper will, but rather for the respect and at the instigation of other men. And for that cause the same men doe goe about to perswade you, that our commands in the said Letters are not to be regarded. Surely this newes did trouble vs; and that so much the more, because hauing had experience of your obedience (most dearly beloued sonnes) who to the end ye might obey this holy Sea, haue godlily and valiantly contemned your riches, wealth, honour, libertie, yea and life it selfe; wee should neuer haue suspected that the trewth of our Apostolike Letters could once be called into question among you, that by this pretence ye might exempt your selues from our Commandements. But we doe herein perceiue the subtiltie and craft of theemie of mans saluation, and we doe attribute this your backwardnesse rather to him, then to your owne will. And for this cause, wee haue thought good to write the second time vnto you, and to signifie vnto you againe, That our Apostolike Letters dated the last yeere on the tenth of the Calends of October, concerning the prohibition of the Oath, were written not only vpon our proper motion, and of our certaine knowledge, but also after long and weightie deliberation used concerning all those things, which are contained in them; and that for that cause ye are bound fully to obserue them, reiecting all interpretation perswading to the contrary. And this is our meere, pure, and perfect will, being alwayes carefull of your saluation, and alwayes minding those things, which are most profitable vnto you. And we doe pray without ceasing, that hee that hath appointed our lowlinesse to the keeping of the flocke of Christ, would inlighten our thoughts and our counsels: whom we doe also continually desire, that he would increase in you (our beloued Sonnes) faith, constancie, and mutuall charitie and peace one to another. All whom, we doe most lowingly blesse with all charitable affection.

Dated at ROME at Saint Markes vnder the Signet of the Fisherman, the x. of the Calends of September, 1607. the third yeere of our Popedome.

#### THE ANSWERE TO THE SECOND BREVE.

Now for this Breue, I may iustly reflect his owne phrase vpon him, in tearming it to be *The craft of the Deuill*. For if the Deuill had studied a thousand yeeres, for to finde out a mischiefe for our Catholikes heere, hee hath found it in this: that now when many Catholikes haue taken their Oath, and some Priests also; yea, the Arch-priest himselfe, without compunction or sticking, they shall not now onely be bound to refuse the profession of their naturall Allegiance to their Soueraigne, which might yet haue beene some way coloured vpon diuers scruples conceiued vpon the words of the Oath; but they must now renounce and forswear their profession of obedience already sworne, and so must as it were at the third instance forswear their former two Oathes, first closely sworne, by their



birth in their naturall Allegiance; and next, clearly confirmed by this Oath, which doeth nothing but expresse the same: so as no man can now holde the faith, or procure the saluation of his soule in ENGLAND that must not abiure and renounce his borne and sworne Allegiance to his naturall Soueraigne.

And yet it is not sufficient to ratifie the last yeeres *Breue*, by a new one come forth this yeere; but (that not onely euery yeere, but euery moneth may produce a new monster) the great and famous Writer of the Controuersies, the late vn-Iesuited Cardinall *Bellarmino*, must adde his talent to this good worke, by blowing the bellowes of sedition, and sharpening the spurre to rebellion, by sending such a Letter of his to the Arch-priest here, as it is a wonder how passion, and an ambitious desire of maintaining that Monarchie, should charme the wits of so famously learned a man.

The Copy whereof here followeth.

TO THE VERY REVEREND MR. GEORGE BLACKWELL, ARCH-PRIEST  
OF THE ENGLISH: ROBERT BELLARMINO CARDINALL OF THE  
HOLY CHURCH OF ROME, GREETING.

REUEREND SIR, and brother in CHRIST; *It is almost fourtie yeeres since we did see one the other: but yet I haue bene vnmindfull of our ancient acquaintance, neither haue I ceased seeing I could doe you no other good, to commend your labouring most painfully in the Lords Vineyard, in my prayers to God. And I doubt not, but that I haue liued all this while in your memory, and haue had some place in your prayers at the Lords Altar. So therefore euen vnto this time we haue abidden, as S. Iohn speaketh, in the mutall loue one of the other, not by word or letter, but in deed and trewth. But a late message which was brought vnto vs within these few dayes, of your bonds and imprisonment, hath inforced mee to breake off this silence; which message, although it seemed heauie in regard of the losse which that Church hath receiued, by their being thus depriued of the comfort of your pastorall function amongst them, yet withall it seemed ioyous, because you drew neere vnto the glory of Martyrdome, then the which gift of God there is none more happy; That you, who haue fedde your flocke so many yeeres with the word and doctrine, should now feed it more gloriously by the example of your patience. But another heauie tidings did not a little disquiet and almost take away this ioy, which immediatly followed, of the aduersaries assault, and per aduventure of the slip and fall of your constancie in refusing an vnlawfull Oath. Neither trewly (most deare brother) could that Oath therefore bee lawfull, because it was offered in sort tempered and modified: for you know that those kinde of modifications are nothing else, but sleights and subtilties of Satan, that the Catholique faith touching the Primacie of the Sea Apostolike, might either secretly or openly be shot at; for the which faith so many worthy Martyrs euen in that very England it selfe, haue resisted vnto blood. For most certaine it is, that in whatsoever words the Oath is conceiued by, the aduersaries of the faith in that Kingdome, it tends to this end, that the Authoritie*

of the head of the Church in England, may bee transferred from the successour of S. Peter, to the successour of King Henry the eight: For that which is pretended of the danger of the Kings life, if the high Priest should haue the same power in England, which hee hath in all other Christian Kingdomes, it is altogether idle, as all that haue any vnderstanding, may easily perceiue. For it was neuer heard of from the Churches infancie vntill this day, that euer any Pope did command, that any Prince, though an Heretike, though an Ethnike, though a persecutour, should be murdered; or did approue of the fact, when it was done by any other. And why, I pray you, doeth onely the King of England feare that, which none of all other the Princes in Christendome either doeth feare, or euer did feare?

But, as I said, these vaine pretexes are but the traps and stratagemes of Satan: Of which kinde I could produce not a fewe out of ancient Stories, if I went about to write a Booke and not an Epistle. One onely for example sake, I will call to your memory. S. Gregorius Nazianzenus in his first Oration against Iulian the Emperour, reporteth, That hee, the more easily to beguile the simple Christians, did insert the Images of the false gods into the pictures of the Emperour, which the Romanes did vse to bow downe vnto with a ciuill kinde of reuerence: so that no man could doe reuerence to the Emperours picture, but withall hee must adore the Images of the false gods; whereupon it came to passe that many were deceiued. And if there were any that found out the Emperours craft, and refused to worship his picture, those were most grieuously punished, as men that had contemned the Emperour in his Image. Some such like thing, me thinkes, I see in the Oath that is offered to you; which is so craftily composed, that no man can detest Treason against the King, and make profession of his Ciuill subiection, but he must bee constrained perfidiously to denie the Primacie of the Apostolicke Sea. But the seruants of Christ, and especially the chiefe Priests of the Lord, ought to bee so farre from taking an vnlawfull Oath, where they may indamage the Faith, that they ought to beware that they giue not the least suspicion of dissimulation that they haue taken it, least they might seeme to haue left any example of preuarication to faithfull people. Which thing that worthy Eleazar did most notably performe, who would neither eate swines flesh, nor so much as faine to haue eaten it, although hee sawe the great torments that did hang ouer his head; least, as himselfe speaketh in the second Booke of the Machabees, many young men might bee brought through that simulation, to preuaricate with the Lawe. Neither did Basil the Great by his example, which is more fit for our purpose, cary himselfe lesse worthily toward Valens the Emperour. For as Theodoret writeth in his Historie, when the Deputy of that heretical Emperour did perswade Saint Basil, that hee would not resist the Emperour for a little subtiltie of a few points of doctrine; that most holy and prudent man made answer, That it was not to be indured, that the least syllable of Gods word should be corrupted, but rather all kind of torment was to be embraced, for the maintenance of the Trewth thereof. Now I suppose, that there wants not amongst you, who say that they are but subtilties of Opinions that are contained in the Oath that is offered to the Catholikes, and that you are not to strue against the Kings



*Authoritie for such a little matter. But there are not wanting also amongst you holy men like unto Basil the Great, which will openly auow, that the very least syllable of Gods diuine Trewth is not to bee corrupted, though many torments were to bee endured, and death it selfe set before you: Amongst whom it is meete, that you should bee one, or rather the Standard-bearer, and Generall to the rest. And whatsoever hath beene the cause, that your Constancie hath quailed, whether it bee the suddainenness of your apprehension, or the bitterness of your persecution, or the imbecilitie of your old age: yet wee trust in the goodnesse of God, and in your owne long continued vertue, that it will come to passe, that as you seeme in some part to haue imitated the fall of Peter and Marcellinus, so you shall happily imitate their valour in recouering your strength, and maintaining the Trewth: For if you will diligently weigh the whole matter with your selfe, trewly you shall see, it is no small matter that is called in question by this Oath, but one of the principall heads of our Faith, and foundations of Catholique Religion. For heare what your Apostle Saint Gregorie the Great hath written in his 24. Epistle of his II. Booke. Let not the reuerence due to the Apostolique Sea, be troubled by any mans presumption; for then the state of the members doeth remaine entire, when the Head of the Faith is not bruised by any iniurie: Therefore by Saint Gregories testimonie, when they are busie about disturbing or diminishing, or taking away of the Primacie of the Apostolique Sea; then are they busie about cutting off the very head of the faith, and dissoluing of the state of the whole body, and of all the members. Which selfe same thing S. Leo doth confirme in his third Sermon of his Assumption to the Popedom, when he saith, Our Lord had a special care of Peter, & praied properly for Peters faith, as though the state of others were more stable, when their Princes mind was not to be ouercome. Whereupon himselfe in his Epistle to the bishops of the prouince of Vienna, doth not doubt to affirme, that he is not partaker of the diuine Mysterie, that dare depart from the solidity of Peter, who also saith, That who thinketh the Primacy to be denied to that Sea, he can in no sort lessen the authority of it; but by being puft vp with the spirit of his owne pride, doth cast himselfe headlong into hel. These and many many other of this kind, I am very sure are most familiar to you: who besides many other books, haue diligently read ouer the visible Monarchy of your owne Sanders, a most diligent writer, and one who hath worthily deserued of the Church of England Neither can you be ignorant, that these most holy and learned men, Iohn bishop of Rochester, and Tho. Moore, within our memory, for this one most weighty head of doctrine, led the way to Martyrdome to many others, to the exceeding glory of the English nation. But I would put you in remembrance that you should take heart, and considering the weightines of the cause, not to trust too much to your owne iudgement, neither be wise aboue that is meet to be wise: and if peraduenture your fall haue proceeded not vpon want of consideration, but through humane infirmity, & for feare of punishment and imprisonment, yet do not preferre a temporall liberty to the liberty of the glory of the Sonnes of God: neither for escaping a light & momentarie tribulation, lose an eternal weight of glory, which tribulation it selfe doeth worke in you.*

*You haue fought a good fight a long time, you haue wel-neere finished your course; so many yeeres haue you kept the faith: do not therefore lose the reward of such labors do not depriue your selfe of that crowne of righteousness, which so long agoe is prepared for you; Do not make the faces of so many yours both brethren and children ashamed. Vpon you at this time are fixed the eyes of all the Churches: yea also, you are made a spectacle to the world, to Angels, to men; Do not so carry your selfe in this your last act, that you leaue nothing but laments to your friends, and ioy to your enemies. But rather on the contrary, which we assuredly hope, and for which we continually powre forth prayers to God, display gloriously the banner of faith, and make to reioyce the Church, which you haue made heauy; so shall you not onely merite pardon at Gods hands, but a Crowne. Farewell. Quite you like a man, and let your heart be strengthened. From Rome the 28. day of September 1607.*

Your very Reuerendships brother and seruant in Christ,

*Robert Bellarmine* Cardinall.

#### THE ANSWERE TO THE CARDINALS LETTER.

AND now that I am to enter into the field against him by refuting his Letter, I must first vse this protestation; That no desire of vaine-glory by matching with so learned a man, maketh me to vndertake this taske; but onely the care and conscience I haue, that such smooth *Circes* charmes and guilded pilles, as full of exterior eloquence, as of inward vntrewths, may not haue that publike passage through the world without an answer: whereby my reputation might vniustly be darkened, by such cloudie and foggie mists of vntrewths and false imputations, the hearts of vnstayed and simple men be misse-led, and the trewth it selfe smothered.

But before I come to the particular answer of this Letter, I must here desire the world to wonder with me, at the committing of so grosse an error by so learned a man: as that he should haue pained himselfe to haue set downe so elaborate a Letter, for the refutation of a quite mistaken question: For it appeareth, that our English Fugitiues, of whose inward societie with him he so greatly vaunteth, haue so fast hammered in his head the Oath of Supremacie, which hath euer bene so great a scarre vnto them, as he thinking by his Letter to haue refuted the last Oath, hath in place thereof onely paid the Oath of Supremacie, which was most in his head; as a man that being earnestly caried in his thoughts vpon another matter, then he is presently in doing, will often name the matter or person he is thinking of, in place of the other thing he hath at that time in hand.

For as the Oath of Supremacie was deuised for putting a difference betweene Papists, and them of our profession: so was this Oath, which hee would seeme to impugne, ordained for making difference betweene the ciuilly obedient Papists, and the peruerse disciples of the Powder-Treason. Yet doeth all his Letter runne



vpon an Inuectiue against the compulsion of Catholiques to deny the authoritie of *S. Peters* successors, and in place thereof to acknowledge the Successors of King *Henry the eight*: For in *K. Henry the eight's* time, was the Oath of Supremacie first made: By him were *Thomas Moore* and *Roffensis* put to death, partly for refusing of it: From his time till now, haue all the Princes of this land professing this Religion, successiue in effect maintained the same: and in that Oath onely is contained the Kings absolute power, to be Iudge ouer all persons, aswell Ciuill as Ecclesiasticall, excluding al forraigne powers and Potentates to be Iudges within his dominions; whereas this last made Oath containeth no such matter, onely meddling with the ciuill obedience of Subiects to their Soueraigne, in meere temporall causes.

And that it may the better appeare, that whereas by name hee seemeth to condemne the last Oath; yet indeed his whole Letter runneth vpon nothing, but vpon the condemnation of the Oath of Supremacie: I haue here thought good to set downe the said Oath, leauing it then to the discretion of euery indifferent reader to iudge, whether he doth not in substance onely answere to the Oath of Supremacie, but that hee giues the child a wrong name.

*I A.B. doe vtterly testifie and declare in my conscience, that the Kings Highnesse is the onely Supream Gouvernour of this Realme, and all other his Highnesse Dominions and Countries, aswell in all Spirituall, or Ecclesiasticall things or causes, as Temporall: And that no forraigne Prince, Person, Prelate, State or Potentate, hath or ought to haue any Iurisdiction, Power, Superioritie, Preeminence or Authoritie Ecclesiasticall or Spirituall within this Realme. And therefore I doe vtterly renounce and forsake all forraigne Iurisdctions, Powers, Superiorities and Authorities; and doe promise that from hencefoorth I shall beare faith and trew Allegiance to the Kings Highnesse, his Heires and lawfull Successours: and to my power shall assist and defend all Iurisdctions, Priuiledges, Preeminences and Authorities granted or belonging to the Kings Highnesse, his Heires and Successours, or vnitd and annexed to the Imperiall Crowne of the Realme: So helpe me God; and by the Contents of this booke.*

And that the iniustice, as well as the error of his grosse mistaking in this point, may yet be more clearely discouered; I haue also thought good to insert here immediatly after the Oath of Supremacie, the contrary conclusions to all the points and Articles, whereof this other late Oath doeth consist: whereby it may appeare, what vnreasonable and rebellious points hee would driue my Subiects vnto, by refusing the whole body of that Oath, as it is conceiued: For he that shall refuse to take this Oath, must of necessitie hold all, or some of these propositions following.

1. That I King JAMES, am not the lawfull King of this Kingdome, and of all other my Dominions.

2. That the *Pope* by his owne authoritie may depose me: If not by his owne authoritie, yet by some other authoritie of the Church, or of the Sea of *Rome*:

If not by some other authoritie of the Church and Sea of *Rome*, yet by other meanes with others helpe, he may depose me.

3. That the *Pope* may dispose of my Kingdomes and Dominions.

4. That the *Pope* may giue authoritie to some forreine Prince to inuade my Dominions.

5. That the *Pope* may discharge my Subiects of their Allegiance and Obedience to me.

6. That the *Pope* may giue licence to one, or more of my Subiects to beare armes against me.

7. That the *Pope* may giue leaue to my Subiects to offer violence to my Person, or to my gouvernement, or to some of my Subiects.

8. That if the *Pope* shall by Sentence excommunicate or depose mee, my Subiects are not to beare Faith and Allegiance to me.

9. If the *Pope* shall by Sentence excommunicate or depose me, my Subiects are not bound to defend with all their power my Person and Crowne.

10. If the *Pope* shall giue out any Sentence of Excommunication or Deprivation against me, my Subiects by reason of that Sentence, are not bound to reueale all Conspiracies and Treasons against mee, which shall come to their hearing and knowledge.

11. That it is not hereticall and detestable to hold, that Princes being excommunicated by the *Pope*, may be either deposed or killed by their Subiects, or any other.

12. That the *Pope* hath power to absolve my Subiects from this Oath, or from some part thereof.

13. That this Oath is not administred to my Subiects, by a full and lawfull authoritie.

14. That this Oath is to be taken with Equiuocation, mentall euasion, or secret reseruatiō; and not with the heart and good will, sincerely in the trew faith of a Christian man.

These are the trew and naturall branches of the body of this Oath. The affirmatiue of all which negatiues, doe neither concerne in any case the *Popes* Supremacie in Spirituall causes: nor yet were euer concluded, and defined by any complete generall Councell<sup>1</sup> to belong to the *Popes* authoritie; and their owne schoole Doctors are at irreconciliable oddes and iarres about them.

And that the world may yet farther see ours and the whole States setting downe of this Oath, did not proceed from any new inuention of our owne, but as it is warranted by the word of GOD: so doeth it take the example from an Oath of Allegiance decreed a thousand yeeres agoe, which a famous Councell then, together with diuers other Councels, were so farre from condemning (as the *Pope* now hath done this Oath) as I haue thought good to set downe their owne wordes here in that purpose: whereby it may appear that I craue nothing now of my

<sup>1</sup> Touching the pretended Councell of Lateran. See Plat. In vita Innocen. III.



Subiects in this Oath, which was not expresly and carefully commaunded then, by the Councils to be obeyed without exception of persons. Nay not in the very particular point of *Equiuocation*, which I in this Oath was so carefull to haue eschewed: but you shall here see the said Councils in their Decrees, as carefull to prouide for the eschewing of the same; so as almost euery point of that action, & this of ours shalbe found to haue relation & agreeance one with the other, saue onely in this, that those old Councils were careful and strait in commanding the taking of the same: whereas by the contrary, he that now vanteth himselfe to be head of al Councils, is as careful & strait in the prohibition of all men from the taking of this Oath of Allegiance.

The words of the Councell be these:

*Heare our sentence.*

*Whosoener of vs, or of all the people thorowout all Spaine, shall goe about by any meanes of conspiracie or practise, to violate the Oath of his fidelitie, which he hath taken for the preseruacion of his Countrey, or of the Kings life; or who shall attempt to put violent handes vpon the King; or to depriue him of his kingly power; or that by tyrannicall presumption would vsurpe the Soueraigntie of the Kingdome: Let him bee accursed in the sight of God the Father, and of his Angels; and let him bee made and declared a stranger from the Catholique Church, which hee hath prophaned by his periurie; and an aliant from the companie of all Christian people, together with all the complices of his impietie; because it behoueth all those that bee guiltie of the like offence, to vnder-lie the like punishment.<sup>1</sup> Which sentence is three seuerall times together, and almost in the same wordes, repeated in the same Canon. After this, the Synode desired, That this Sentence of theirs now this third time rehearsed, might bee confirmed by the voyce and consent of all that were present. Then the whole Clergie and people answered, Whosoener shall cary himselfe presumptuously against this your definitiue sentence, let them be Anathema maranatha, that is, let them bee vtterly destroyed at the Lords comming, and let them and their complices haue their portion with Iudas Iscarioth. Amen.*

And in the fifth Councell,<sup>2</sup> there it is decreed, That this Acte touching the Oath of Allegiance, shall bee repeated in euery Councell of the Bishops of Spaine. The Decree is in these wordes: *In consideration that the mindes of men are easily inclined to euill and forgetfulnesse, therefore this most holy Synode hath ordained; and doeth enact, That in euery Councell of the Bishops of Spaine, the Decree of the generall Councell<sup>3</sup> which was made for the safetie of our Princes, shall bee with an audible voyce proclaimed and pronounced, after the conclusion of all other things in the Synode: That so it being often sounded into their eares, at least by continuall remembrance, the mindes of wicked men beeing terrified, might bee reformed, which by obliuion and facilitie [to euill] are brought to preuaricate.*

<sup>1</sup> Concil. Tolet. 4 can. 47. Anno 633.

<sup>2</sup> Concil. Tolet. 5. Can. 7. anno 636.

<sup>3</sup> Synod. Tolet. 4. vniuersalis, & magna Synodus dicta, Synod. Tolet. 5. cap. 2.

And in the sixt Councell,<sup>1</sup> *Wee doe protest before God, and all the orders of Angels, in the presence of the Prophets and Apostles, and all the companie of Martyrs, and before all the Catholique Church, and assemblies of the Christians; That no man shall goe about to seeke the destruction of the King: No man shall touch the life of the Prince: No man shall depriue him of the Kingdome: No man by any tyrannical presumption shall vsurpe to himselfe the Soueraigntie of the Kingdome: No man by any Machination shall in his aduersitie associate to himselfe any packe of Conspirators against him: And that if any of vs shall be presumptuous by rashnesse in any of these cases, let him be stricken with the anatheme of God, and reputed as condemned in eternall iudgement without any hope of recovery.*

And in the tenth Councell<sup>2</sup> (to omit diuers others held also at Toledo) it is said: *That if any religious man, euen from the Bishop to the lowest Order of the Church-men or Monkes, shall bee found to haue violated the generall Oathes made for the preservation of the Kinges Person, or of the Nation and Countrey with a prophane minde; foorthwith let him bee depriued of all dignitie, and excluded from all place and Honour.* The occasion of the Decrees made for this Oath, was, That the Christians were suspected for want of fidelitie to their Kings; and did either equiuocate in taking their Oath, or make no conscience to keepe it, when they had giuen it; as may appeare by sundry speeches in the Councell,<sup>3</sup> saying, *There is a generall report, that there is that perfidiousnesse in the mindes of many people of diuers Nations, that they make no conscience to keepe the Oath and fidelitie that they haue sworne vnto their Kings: but doe dissemble a profession of fidelitie in their mouthes, when they hold an impious perfidiousnesse in their mindes.* And againe, *They sweare to their Kings, and yet doe they preuaricate in the fidelitie which they haue promised: Neither doe they feare the Volume of Gods iudgement, by the which the curse of God is brought vpon them, with great threatening of punishments, which doe sweare lyngly in the Name of God.*<sup>4</sup> To the like effect spake they in the Councill of Aquisgran: *If any of the Bishops, or other Church-man of inferiour degree, hereafter thorow feare or couetousnesse, or any other perswasion, shall make defection from our Lord the Orthodoxe Emperour Lodowicke, or shall violate the Oath of fidelitie made vnto him, or shall with their peruerse intention adhere to his enemies; let him by this Canonickall and Synodall sentence bee depriued of whatsoever place hee is possessed of.*<sup>5</sup>

And now to come to a particular answere of his Letter. First, as concerning the sweet memory hee hath of his old acquaintance with the Arch-priest; it may indeed be pleasing for him to recount: but sure I am, his acquaintance with him and the rest of his societie, our Fugitiues (whereof he also vanteth himselfe in his Preface to the Reader in his Booke of Controuersies) hath prooued sowre to vs

<sup>1</sup> Concil. Tolet. 6. Can. 18. Anno 638.

<sup>2</sup> Concil. Tolet. 10. Can. 2. Æra 694.

<sup>3</sup> Concil. Tolet. 4. cap. 74.

<sup>4</sup> Concil. Tolet. 4. cap. 74.

<sup>5</sup> Concil. Aquis. gran. sub Ludo Pio, & Greg.; 4. Can. 12. anno 836.



and our State: For some of such Priests<sup>1</sup> and Iesuits, as were the greatest Traitors and fomenters of the greatest conspiracies against the late Queene, gaue vp Father *Rob: Bellarmine* for one of their greatest authorities and oracles: And therefore I do not enuy the great honour he can winne, by his vaunt of his inward familiarity with an other Princes traitors & fugitiues; whom vnto if he teach no better maners then hitherto he hath done, I thinke his fellowship are litle beholding vnto him.

And for desiring him to remember him in his prayers at the Altar of the Lord: if the Arch-Priests prayers prooue no more profitable to his soule, then *Bellarmines* counsell is like to proue profitable, both to the soule and bodie of *Blackwell* (if he would follow it) the authour of this Letter might very well be without his prayers.

Now the first messenger that I can finde which brought ioyfull newes of the Arch-Priest to *Bellarmines*, was hee that brought the newes of the Arch-Priests taking, and first appearance of Martyrdome. A great signe surely of the Cardinals mortification, that hee was so reioyced to heare of the apprehension, imprisonment and appearance of putting to death of so old and deare a friend of his. But yet apparantly he should first haue beene sure, that hee was onely to bee punished for cause of Religion, before hee had so triumphed vpon the expectation of his Martyrdome. For first, by what rule of charitie was it lawfull for him to iudge mee a persecutour, before prooffe had beene made of it by the said Arch-Priests condemnation and death? What could hee know, that the said Arch-Priest was not taken vpon suspicion of his guiltinesse in the Powder-Treason? What certaine information had hee then receiued vpon the particulars, whereupon hee was to bee accused? And last of all, by what inspiration could he foretell whereupon hee was to bee accused? For at that time there was yet nothing layed to his charge. And if charitie should not bee suspicious, what warrant had hee absolutely to condemne mee of vsing persecution and tyrannie, which could not bee but implied vpon mee, if *Blackwel* was to bee a Martyr? But surely it may iustly be sayd of *Bellarmines* in this case, that our Sauour CHRIST saith of all worldly and carnall men, who thinke it enough to loue their friends,<sup>2</sup> and hate their enemies; the limits of the Cardinals charitie extending no farther, then to them of his owne profession. For what euer hee added in superfluous charitie to *Blackwel*, in reioycing in the speculation of his future Martyrdome; hee detracted as much vniustly and vncharitably from me, in accounting of me thereby as of a bloody Persecutour. And whereas this ioy of his was interrupted by the next messenger, that brought the newes of the saide Arch-Priest his failing in his constancie, by taking of this Oath; he needed neuer to haue beene troubled, either with his former ioy or his second sorrow, both beeing alike falsly grounded. For as it was neuer my intention to lay any thing vnto the said Arch-Priests charge, as I haue neuer done to any for cause of conscience, so was *Blackwels* constancie

<sup>1</sup> Campian and Hart. See the conference in the Tower.

<sup>2</sup> Mat. 5. 43.

neuer brangled by taking of this Oath; It beeing a thing which he euer thought lawfull before his apprehension, and whereunto hee perswaded all Catholiques to giue obedience; like as after his apprehension, hee neuer made doubt or stop in it; but at the first offering it vnto him, did freely take it, as a thing most lawfull; neither meanes of threatening, or flatterie being euer vsed vnto him, as himselfe can yet beare witnesse.

And as for the temperature and modification of this Oath, except that a reasonable and lawfull matter is there set downe in reasonable and temperate wordes, agreeing thereunto; I know not what he can meane, by quarelling it for that fault: For no temperatenesse nor modifications in words therein, can iustly be called the Deuils craft; when the thing it selfe is so plaine, and so plainly interpreted to all them that take it; as the onely troublesome thing in it all, bee the wordes vsed in the end thereof, for eschewing *Æquiuocation* and *Mentall reseruacion*. Which new Catholike doctrine, may farre iustlier bee called the Deuils craft, then any plaine and temperate wordes, in so plaine and cleare a matter. But what shall we say of these strange countrey clownes, whom of with the *Satyre* we may iustly complaine, that they blow both hote & cold out of one mouth? For *Luther* and all our bold and free-speaking Writers are mightily railed vpon by them, as hote-brained fellowes, and speakers by the Deuils instinct: and now if we speake moderately and temperately of them, it must be tearmed the Deuils craft: And therefore wee may iustly complaine with CHRIST, that when we mourne, they wil not lament: and when we pipe, they wil not dance.<sup>1</sup> But neither *Iohn Baptist* his seueritie, nor CHRIST his meekenesse and lenitie can please them, who build but to their owne Monarchie vpon the ground of their owne Traditions; and not to CHRIST vpon the ground of his word and infallible trewth.

But what can bee meant by alleadging, that the craft of the Deuill herein, is onely vsed for subuersion of the Catholique Faith, and euersion of Saint *Peters* Primacie; had neede bee commented anew by *Bellarmino* himselfe: For in all this Letter of his, neuer one word is vsed, to prooue that by any part of this Oath the Primacie of Saint *Peter* is any way medled with, except Master *Bellarmino* his bare alleadging; which without proouing it by more cleare demonstration, can neuer satisfie the conscience of any reasonable man. For (for ought that I know) heauen and earth are no farther asunder, then the profession of a temporall obedience to a temporall King, is different from any thing belonging to the Catholique Faith, or Supremacie of Saint *Peter*: For as for the Catholique Faith; can there be one word found in all that Oath, tending or sounding to matter of Religion? Doeth he that taketh it, promise there to beleue, or not to beleue any article of Religion? Or doeth hee so much as name a trew or false Church there? And as for Saint *Peters* Primacie; I know no Apostles name that it therein named, except the name of *IAMES*, it being my Christen name: though it please him not to deigne to name me in all the Letter; albeit, the contents thereof con-

<sup>1</sup> Mat. 11. 17.



cerne mee in the highest degree. Neither is there any mention at all made therein, either *disertis verbis*, or by any other indirect meanes, either of the Hierarchie of the Church, of Saint *Peters* succession, of the Sea Apostolike, or of any such matter: but that the Author of our Letter doeth brauely make mention of Saint *Peters* succession, bringing it in comparison with the succession of *Henry* the eight. Of which vnapt and vnmannerly similitude, I wonder he should not be much ashamed: For as to King *Henries* Successour (which hee meaneth by mee) as I, I say, neuer did, nor will presume to create any Article of Faith, or to bee Iudge thereof; but to submit my exemplarie obedience vnto them, in as great humilitie as the meanest of the land: so if the Pope could bee as well able to prooue his either Personall or Doctrinall Succession from Saint *Peter*, as I am able to prooue my lineall descent from the Kings of *England* and *Scotland*; there had neuer beene so long adoe, nor so much sturre kept about this question in Christendome; neither had Master *Bellarmino*<sup>1</sup> himselfe needed to haue bestowed so many sheetes of paper *De summo Pontifice*, in his great bookes of Controuersies: And when all is done, to conclude with a morall certitude, and a *piè credendum*; bringing in the Popes,<sup>2</sup> that are parties in this cause, to be his witnesses: and yet their historicall narration must bee no article of Faith. And I am without vanterie sure, that I doe farre more neerely imitate the worthe actions of my Predecessours, then the *Popes* in our aage can be well proued to be *similes Petro*, especially in cursing of Kings, and setting free their Subiects from their Allegiance vnto them.

But now wee come to his strongest argument, which is, That he would alledge vpon mee a Panicke terrour, as if I were possessed with a needlesse feare: For, saith the Cardinall, *from the beginning of the Churches first infancie, euen to this day, where was it euer heard, that euer a Pope either commaunded to bee killed, or allowed the slaughter of any Prince whatsoever, whether hee were an Hereticke, an Ethnicke, or Persecutour?* But first, wherefore doeth he here wilfully, and of purpose omit the rest of the points mentioned in that Oath, for deposing, degrading, stirring vp of armes, or rebelling against them, which are as well mentioned in that Oath, as the killing of them? as beeing all of one consequence against a King, no Subiect beeing so scrupulous, as that hee will attempt the one, and leaue the other vnperformed if hee can. And yet surely I cannot blame him for passing it ouer, since he could not otherwise haue eschewed the direct belying of himselfe in tearmes, which hee now doeth but in substance and effect: For as for the *Popes* deposing and degrading of Kings, hee maketh so braue vaunts and bragges of it in his former bookes, as he could neuer with ciuill honestie haue denied it here.<sup>3</sup>

But to returne to the *Popes* allowing of killing of Kinges, I know not with what face hee can set so stout a deniall vpon it against his owne knowledge. How many Emperours did the *Pope* raise warre against in their owne bowels? Who

<sup>1</sup> Bellar. de Rom. Pont. li. 4. cap. 6. Ibid. l. 2. ca. 12.

<sup>2</sup> Idem ibid. lib. 2. cap. 14.

<sup>3</sup> Bellarm. de Rom. Pont. lib. 5. cap. 8. et lib. 3. cap. 16.

as they were overcome in battaile, were subiect to haue beene killed therein, which I hope the *Pope* could not but haue allowed, when he was so farre iraged at *Henry*<sup>1</sup> the fifth for giuing buriall to his fathers dead corpes, after the *Pope*<sup>2</sup> had stirred him vp to rebell against his father, and procured his ruine. But leauing these olde Histories to *Bellarmines* owne bookes, that doe most authentically cite them, as I haue already said, let vs turne our eyes vpon our owne time, and therein remember what a Panegyricke<sup>3</sup> Oration was made by the *Pope*, in praise and approbation of the Frier and his fact, that murdered king *Henry* the third of *France*, who was so farre from either being Hereticke, Ethnicke, or Persecutor in their account, that the said *Popes* owne wordes in that Oration are, *That a trew Friar hath killed a counterfeit Frier*. And besides that vehement Oration and congratulation for that fact, how neere it scaped, that the said Frier was not canonized for that glorious act, is better knowne to *Bellarmino* and his followers, then to vs here.

But sure I am, if some Cardinals had not beene more wise and circumspect in that errand, then the *Pope* himselfe was, the *Popes* owne Kalender of his Saints would haue sufficiently proued *Bellarmin* a lier in this case. And to draw yet neerer vnto our selues; how many practises and attempts were made against the late Queenes life, which were directly enioyned to those Traitors by their Confessors, and plainly authorized by the *Popes* allowance? For verification whereof, there needs no more prooffe, then that neuer *Pope* either then or since, called any Church-man in question for meddling in any those treasonable conspiracies; nay, the Cardinals owne *S. Sanderus* mentioned in his Letter, could well verifie this trewth if, hee were aliue; and who will looke his bookes, will find them filled with no other doctrine then this. And what difference there is betweene the killing, or allowing the slaughter of Kings, and the stirring vp and approbation of practises to kill them; I remit to *Bellarmines* owne iudgement. It may then very clearely appeare, how strangely this Authors passion hath made him forget himselfe, by implicating himselfe in so strong a contradiction against his owne knowledge and conscience, against the witnesse of his former bookes, and against the practise of our owne times. But who can wonder at this contradiction of himselfe in this point, when his owne great Volumes are so filled with contradictions? which when either he, or any other shall euer bee able to reconcile, I will then beleue that hee may easily reconcile this impudent strong deniall of his in his Letter, of any *Popes* meddling against Kings, with his owne former bookes, as I haue already said.

And that I may not seeme to imitate him in affirming boldly that which I no wayes prooue; I will therefore send the Reader to looke for witnesses of his contradictions, in such places here mentioned in his owne booke. In his bookes of Iustification,<sup>4</sup> there he affirmeth, *That for the vncertainie of our owne proper*

<sup>1</sup> Gotfrid. Viterb. Helmod. Cuspinian.

<sup>2</sup> Paschal. 2.

<sup>3</sup> See the Oration of Sixtus Quintus, made in the Consistory vpon the death of Henry the 3.

<sup>4</sup> Bellar. de Iustif. lib. 5. cap. 7.



*righteousness, and for auoiding of vaine-glory, it is most sure and safe, to repose our whole confidence in the alone mercy and goodnesse of God;* Which proposition of his, is directly contrary to the discourse, and current of all his fiue bookes de *Iustificatione*,<sup>1</sup> wherein the same is contained.

*God doeth not encline a man to euill, either naturally or morally.*<sup>2</sup>

Presently after, hee affirmeth the contrary, *That God doeth not encline to euill naturally, but morally.*<sup>3</sup>

All the Fathers teach constantly, *That Bishops doe succeed the Apostles, and Priests the seuentie disciples.*<sup>4</sup>

Elsewhere he affirmeth the contrary, *That Bishops doe not properly succcede the Apostles.*<sup>5</sup>

*That Iudas did not beleeeue.*<sup>6</sup>

Contrary, *That Iudas was iust and certainly good.*<sup>7</sup>

*The keeping of the Law according to the substance of the worke, doeth require that the Commandement be so kept, that sinne be not committed, and the man be not guiltie for hauing not kept the Commandement.*<sup>8</sup>

Contrary, *It is to be knowen that it is not all one, to doe a good morall worke, and to keepe the Commandement according to the substance of the worke: For the Commandement may be kept according to the substance of the worke, euen with sinne; as if one should restore to his friend the thing committed to him of trust, to the end that theeues might afterward take it from him.*<sup>9</sup>

*Peter did not loose that faith, whereby the heart beleeueth vnto iustification.*<sup>10</sup>

Contrary, *Peters sinne was deadly.*<sup>11</sup>

*Antichrist shall be a Magician, and after the maner of other Magicians shall secretly worship the diuel.*<sup>12</sup>

Contrary, *He shall not admit of idolatrie: he shall hate idoles, and reedifie the Temple.*<sup>13</sup>

*By the wordes of Consecration the trew and solemne oblation is made.*<sup>14</sup>

Contrary, *The sacrifice doeth not consist in the words: but in the oblation of the thing it selfe.*<sup>15</sup>

*That the end of the world cannot be knowne.*<sup>16</sup>

Contrary, *After the death of Antichrist, there shall bee but fiue and fourtie dayes till the end of the world.*<sup>17</sup>

*That the tenne Kings shall burne the scarlet Whore, that is, Rome.*<sup>18</sup>

<sup>1</sup> Contrary to all his fiue bookes de *Iustificatione*.

<sup>2</sup> Bellar. de amis gra. & stat. pecca. li. 2. c. 13.

<sup>3</sup> Ibidem paulò post.

<sup>4</sup> Bellar. de clericis, lib. 1. c. 14.

<sup>5</sup> Bellar. de Pont. l. 4. c. 25.

<sup>6</sup> Bellar. de Pont. lib. 1. c. 12.

<sup>7</sup> Bellar. de Iustif. lib. 3. c. 14.

<sup>8</sup> Bellar. de gra. & lib. arbit. lib. 5. cap. 5.

<sup>9</sup> Eodem lib. cap. 9.

<sup>10</sup> Bellar. de Pont. lib. 4. c. 3.

<sup>11</sup> Bell. de Iust. lib. 3. cap. 14.

<sup>12</sup> Bell. de Rom. Pontif. lib. 3. cap. 14.

<sup>13</sup> Ibid. ex sentent. Hypol. & Cyril. & cap. 12. eiusdem libri.

<sup>14</sup> Bell. lib. 1. de missa cap. 17.

<sup>15</sup> Bellar. de miss. lib. 2. cap. 12.

<sup>16</sup> Bellar. de anim. Christ. lib. 4. cap. 5.

<sup>17</sup> Bellar. de Pont. lib. 3. cap. 17.

<sup>18</sup> Bellar. de Pont. lib. 3. cap. 13.

Contrary, Antichrist shall hate Rome, and fight against it, and burne it.<sup>1</sup>

The name of vniuersall Bishop may be vnderstood two wayes; one way, that he which is said to be vniuersall Bishop, may bee thought to be the onely Bishop of all Christian Cities; so that all others are not indeed Bishops, but onely Vicars to him, who is called vniuersall Bishop: in which sense, the Pope is not vniuersall Bishop.<sup>2</sup>

Contrary, All ordinary iurisdiction of Bishops doeth descend immediatly from the Pope; and is in him, and from him is deriued to others.<sup>3</sup> Which few places I haue onely selected amongst many the like, that the discreet and iudicious Reader may discerne *ex vngue Leonem*: For when euer he is pressed with a weighty obiection, hee neuer careth, nor remembreth how his solution and answer to that, may make him gainesay his owne doctrine in some other places, so it serue him for a shift to put off the present storme withall.

But now to returne to our matter againe: Since Popes, sayeth hee, haue neuer at any time medled against Kings, wherefore, I pray you, should onely the King of ENGLAND be afraid of that, whereof neuer Christian King is, or was afraid? Was neuer Christian Emperour or King afraid of the Popes? How then were these miserable Emperours tost and turmoiled, and in the end vtterly ruined by the Popes: for prooffe whereof I haue already cited *Bellarmines* owne bookes? Was not the Emperour<sup>4</sup> afraid, who waited barefooted in the frost and snow three dayes at the Popes gate, before he could get entrie?<sup>5</sup> Was not the Emperour<sup>6</sup> also afraid, who was driuen to lie agroofe on his belly, and suffer another Pope to tread vpon his neck?<sup>7</sup> And was not another Emperour<sup>8</sup> afraid, who was constrained in like maner to endure a third Pope to beat off from his head the Imperiall Crowne with his foot?<sup>9</sup> Was not Philip<sup>10</sup> afraid, being made Emperour against Pope *Innocentius* the thirds good liking, when he brake out into these words, *Either the Pope shall take the Crowne from Philip, or Philip shall take the Miter from the Pope*?<sup>11</sup> whereupon the Pope stirred vp *Otho* against him, who caused him to be slaine; and presently went to Rome, and was crowned Emperour by the Pope, though afterward the Pope<sup>12</sup> deposed him too. Was not the Emperour *Fredericke*<sup>13</sup> afraid, when *Innocentius* the fourth excommunicated him, depriued him of his crowne, absolued Princes of their Oath of fidelitie to him, and in *Apulia* corrupted one to giue him poison? whereof the Emperour recouering, hee hired his bastard sonne *Manfredus* to poison him; whereof he died. What did *Alexander*<sup>14</sup> the third write to the *Soldan*? That if he would liue quietly, hee should by some slight murther the Emperour,<sup>15</sup> and to that end sent him the Em-

<sup>1</sup> Bellar. *ibid*.

<sup>2</sup> Bellar. de Pont. lib. 2. cap. 31.

<sup>3</sup> Bellar. de Pont. lib. 2. cap. 24.

<sup>4</sup> Henry 4.

<sup>5</sup> Abbas Vrspergen. Lamb. Scaff. Anno 1077. Plat. in vit. Greg. 7.

<sup>6</sup> Frederick Barbarossa.

<sup>7</sup> Nauc. gener. 40. Iacob. Bergom. in Sup. plem. chron. Alfons. Clacon. in vit. Alex. 3.

<sup>8</sup> Henry 6.

<sup>9</sup> R. Houeden in Rich. 1; Ranulph. in Polycronico. lib. 7.

<sup>10</sup> Abbas Vrsper. ad Ann. 1191.

<sup>11</sup> Nauc. gen. 40. Cuspin. in Philippo.

<sup>12</sup> Abbas Vrsper.

<sup>13</sup> Math. Paris. in Henr. 3; Petr. de Vineis, Epist. li. 1. & 2; Cuspin in Freder. 2.

<sup>14</sup> Vita Frederici Germanicè conscripta.

<sup>15</sup> Fredericke Barbarossa.



perours picture. And did not *Alexander*<sup>1</sup> the sixt take of the Turke *Baiazetes* two hundred thousand crownes to kill his brother *Gemen*; or as some call him, *Sisimus*, whom he helde captiue at *Rome*? Did hee not accept of the conditions to poyson the man, and had his pay? Was not our *Henry*<sup>2</sup> the second afraid after the slaughter of *Thomas Becket*; that besides his going bare-footed in Pilgrimage, was whipped vp and down the Chapter-house like a schoole-boy, and glad to escape so to? Had not this French King his great grandfather King *Iohn* reason to be afraid, when the *Pope*<sup>3</sup> gaue away his kingdome of *Nauarre* to the King of *Spaine*, whereof he yet possesseth the best halfe? Had not this King, his Successour reason to be afraid, when he was forced to begge so submissiuelly the relaxation of his Excommunication, as he was content likewise to suffer his Ambassadour to be whipped at *Rome* for penance? And had not the late Queene reason to looke to her selfe, when she was excommunicated by *Pius Quintus*, her Subiects loosed from their fidelitie and Allegiance toward her, her Kingdome of *Ireland* giuen to the King of *Spaine*, and that famous fugitiue diuine, honoured with the like degree of a redde Hat as *Bellarmino* is, was not ashamed to publish in Print an Apologie<sup>4</sup> for *Stanleys* treason, maintaining, that by reason of her excommunication and heresie, it was not onely lawfull for any of of her Subiects, but euen they were bound in conscience to depriue her of any strength, which lay in their power to doe? And whether it were armies, townes, or fortresses of hers which they had in their hands, they were obliged to put them in the King of *Spaine* her enemies hands, shee no more being the right owner of anything? But albeit it be trew, that wise men are mooued by the examples of others dangers to vse prouidence and caution, according to the olde Prouerbe, *Tum tua res agitur, paries cū proximus ardet*: yet was I much neerlier summoned to vse this caution, by the practise of it in mine owne person.

First, by the sending foorth of these Bulles whereof I made mention already, for debarring me from entrie vnto this Crowne, and Kingdome. And next after my entrie, and full possession thereof, by the horrible Powder-treason, which should haue bereft both me and mine, both of crowne and life. And howsoeuer the Pope will seeme to cleare himselfe of any allowance of the said Powder-treason; yet can it not be denied, that his principall ministers here, and his chiefe *Mancipia* the Iesuites, were the plaine practisers thereof: for which the principall of them hath died confessing it, and other haue fled the Countrey for the crime; yea, some of them gone into *Italy*: and yet neither these that fled out of this Countrey for it, nor yet *Baldwine*, who though he then remained in the Low-countreys, was of counsell in it, were euer called to account for it by the Pope; much lesse punished for medling in so scandalous and enormous businesse. And

<sup>1</sup> Paul. Iouius, Hist. lib. 2; Cuspinian. in *Baiazet*. 11; Guicciard. lib. 2.

<sup>2</sup> Houeden, pag. 308; Matth. Paris. in *Henric* 2; Walsinga. in *Hypodig. Neustrie*. Ioan. Capgraue.

<sup>3</sup> Gomecius de rebus gest. Fran. Ximenij Archiepis. Tolet. lib. 5.

<sup>4</sup> Card. Allens Answer to Stan. letter, Anno 1587.

now what needs so great wonder and exclamation, that *the onely King of England feareth*: And *what other Christian King doeth, or euer did feare but hee*? As if by the force of his rhetoricke he could make me and my good Subiects to mistrust our senses, deny the Sunne to shine at midday, and not with the serpent to stop our eares to his charming, but to the plaine and visible veritie it selfe. And yet for all this wonder, he can neuer prooue mee to be troubled with such a Panicke terrour. Haue I euer importuned the Pope with any request for my securitie? Or haue I either troubled other Christian Princes my friends and allies, to intreat for me at the Popes hand? Or yet haue I begged from them any aide or assistance for my farther securitie? No. All this wondred-at feare of mine, stretcheth no further, then wisely to make distinction betweene the sheepe and goats in my owne pasture. For since, what euer the Popes part hath beene in the Powder-treason; yet certaine it is, that all these caitife monsters did to their death maintaine, that onely zeale of Religion moued them to that horrible attempt: yea, some of them at their death, would not craue pardon at God or King for their offence; exhorting other of their followers to the like constancie. Had not wee then, and our Parliament great reason, by this Oath to set a marke of distinction betweene good Subiects, and bad? Yea, betweene Papists, though peradventure zealous in their religion, yet otherwise ciuilly honest and good Subiects, and such terrible firebrands of hell, as would maintaine the like maximes, which these Powder-men did? Nay, could there be a more gracious part in a King, suppose I say it, towards Subiects of a contrary Religion, then by making them to take this Oath, to publish their honest fidelitie in temporal things to me their Soueraigne, and thereby to wipe off that imputation and great slander which was laide vpon the whole professours of that Religion, by the furious enterprise of these Powder-men?

And whereas for illustration of this strong argument of his, hee hath brought in for a similitude the historie of *Iulian*<sup>1</sup> the *Apostata* his dealing with the Christians, when as he straited them either to commit idolatrie, or to come within the compasse of treason: I would wish the authour to remember, that although a similitude may be permitted *claudicare vno pede*; yet this was a very ill chosen similitude, which is lame both of feete and hands, and euery member of the body: For I shall in fewe wordes prooue, that it agreeth in no one point saue one, with our purpose, which is, that *Iulian* was an Emperour, and I a King. First, *Iulian* was an *Apostata*, one that had renounced the whole Christian faith, which he had once professed, and became an Ethnike againe, or rather an Atheist: whereas I am a Christian, who neuer changed that Religion, that I dranke in with my milke: nor euer, I thanke GOD, was ashamed of my profession. *Iulian* dealt against Christians onely for the profession of CHRISTES cause: I deale in this cause with my Subiects, onely to make a distinction betweene trew Subiects, an false-hearted traitours. *Iulians* end was the ouerthrow of the Christians: my

<sup>1</sup> Nazianzen. in *Iulian. inuectiuâ primâ.*



onely end is, to maintaine Christianitie in a peaceable gouvernement. *Iulians* drift was to make them commit Idolatrie: my purpose is, to cause my Subiects to make open profession of their naturall Allegiance, and ciuill Obedience. *Iulians* meanes whereby he went about it, was by craft, and insnaring them before they were aware: my course in this is plaine, cleare, and voyd of all obscuritie; neuer refusing leaue to any that are required to take this Oath, to study it at leisure, and giuing them all the interpretation of it they can craue. But the greatest dissimilitude of all, is in this: that *Iulian* pressed them to commit idolatrie to Idoles and Images: but as well I, as all the Subiects of my profession are so farre from guilt in this point, as wee are counted heretiques by you, because we will not commit idolatrie. So as in the maine point of all, is the greatest contrarietie. For, *Iulian* persecuted the Christians because they would not commit idolatrie; and ye count me a persecutour, because I will not admit idolatrie. So as to conclude this point, this old sentence may well be applied to *Bellarmino*, in vsing so vnapt a similitude,

*Perdere quos vult Iupiter, hos dementat.*

And therefore his vncharitable conclusion doeth not rightly follow: *That it seemeth vnto him, that some such thing should be subtilly or fraudulently included in this Oath;* as if no man can detest Treason against the King, or professe ciuill subiection, except hee renounce the Primacie of the Apostolique Sea. But how he hath suckt this apprehension out at his fingers ends, I cannot imagine: for sure I am, as I haue oft said, hee neuer goeth about to prooue it: and to answere an improbable imagination, is to fight against a vanishing shadow. It cannot be denied indeed, that many seruants of CHRIST, as well Priests, as others, haue endured constantly all sorts of torments, and death, for the profession of CHRIST: and therefore to all such his examples, as hee bringeth in for verifying the same, I need not to giue him any other answere, saue onely to remember him, that he playeth the part of a sophister in all these his examples of the constancie of Martyrs; euer taking *Controuersum pro confesso*, as if this our case were of the same nature.

But yet that the Reader may the better discouer, not onely how vnaptly his similitudes are applied, but likewise how dishonestly hee vseth himselfe in all his citations: I haue thought good to set downe the very places themselues cited by him, together with a short deduction of the trew state of those particular cases: whereby, how little these examples can touch our case; nay, by the contrary, how rightly their trew sense may bee vsed, as our owne weapons to be thrown backe vpon him that alledgeth them, shall easily appeare. And first, for *Eleazar*:<sup>1</sup> If the Arch-priest his ground of refusing the Oath, were as good as *Eleazars* was, to forbear to eate the swines flesh, it might not vnfitly be applied by the Cardinal to this purpose: For as *Eleazar* was a principall Scribe, so is he a principall Priest: As *Eleazars* example had a great force in it, to animate the yonger Scribes to

<sup>1</sup> 2. Maccab. chap. 6. ver. 18.

keepe the Lawe, or in his colourable eating it, to haue taught them to dissemble: so hath the Arch-priests, either to make the inferiour Priests to take the Oath, or to refuse it: but the ground failing, the building cannot stand: For what example is there in all the Scripture, in which disobedience to the Oath of the King, or want of Allegiance is allowed? If the Cardinall would remember, that when the Church maketh a Lawe (suppose to forbid flesh on certaine dayes) he that refuseth to obey it, incurreth the iust censure of the Church: If a man then ought to die rather than to breake the least of Gods Ceremoniall Lawes, and to pine and starue his body, rather then to violate the Church his positieue Law: will he not giue leaue to a man to redeeme his soule from sinne, and to keepe his body from punishment, by keeping a Kings politike Law, and by giuing good example in his Person, raise vp a good opinion in me of like Allegiance in the inferiour of his order? This application, as I take it, would haue better fitted this example.

But let mee remember the Cardinall of another Oath<sup>1</sup> inioyned by a King to his people, whereby he indangered his owne life, and hazarded the safetie of the whole armie, when hee made the people sweare in the morning, not to taste of any meate vntill night: which Oath he exacted so strictly, that his eldest sonne, and heire apparant, *Ionathan*, for breaking of it, by tasting a little hony of the top of his rodde, though he heard not when the King gaue that Oath, had well-nigh died for it. And shall an Oath giuen vpon so vrgent an occasion as this was, for the apparant safetie of me and my posteritie, forbidding my people to drinke so deeply in the bitter cup of Antichristian fornications, but that they may keepe so much hony in their hearts, as may argue them still espoused to me their Soueraigne in the maine knot of trew Allegiance; shall this Law, I say, by him bee condemned to hell for a *stratageme of Sathan*? I say no more, but Gods lot in the Oath of *Sauls*, and *Bellarmines* verdict vpon this Oath of ours, seeme not to be cast out of one lap.

Now to this example of *Basill*,<sup>2</sup> which is (as he sayth) so fit for his purpose: First, I must obserue, that if the Cardinall would leaue a common and ordinarie tricke of his in all his Citations, which is to take what makes for him, and leaue out what makes against him; and cite the Authours sense, as well as his Sentence, we should not be so much troubled with answering the Ancients which he alledgeth. To instance it in this very place: if he had continued his allegation one line further, hee should haue found this place out of *Theodoret*, of more force to haue mooued *Blackwell* to take the Oath, then to haue dissuaded him from it: For in the very next words it followeth, *Imperatoris quidem amicitiam magni se pendere, cum pietate; quâ remotâ, perniciosam esse dicere*. But that it may appeare, whether of vs haue greatest right to this place, I will in few words shew the Authours drift.

The Emperour *Valens* being an Arrian, at the perswasion of his wife, when he had depriued all the Churches of their Pastours, came to *Cæsarea*, where *S. Basil*<sup>3</sup>

<sup>1</sup> 1. Sam. 14. 25.

<sup>2</sup> Theodoret. lib. 4. cap. 19.

<sup>3</sup> Theodoret. lib. 4. cap. 19.



was then Bishop, who, as the historie reporteth, was accounted the *Light of the world*. Before hee came, hee sent his deputie<sup>1</sup> to worke it, that *S. Basil* should hold fellowship with *Eudoxius* (which *Eudoxius*<sup>2</sup> was bishop of *Constantinople*, and the principall of the Arrian faction) or if he would not, that hee should put him to banishment. Now when the Emperours Deputie came to *Cæsarea*, he sent for *Basil*, intreated him honourably, spake pleasingly vnto him, desired he would giue way to the time, neither that he would hazard the good of so many Churches *tenui exquisitione dogmatis*: promised him the Emperours fauour, and himselfe to be mediatour for his good. But *S. Basill* answered, *These intising speeches were to fit to bee used to children, that vse to gape after such things: but for them that were throughly instructed in Gods word, they could neuer suffer any syl-lable thereof to be corrupted: Nay, if need required, they would for the maintenance thereof refuse no kind of death. Indeed the loue of the Emperour ought to bee greatly esteemed with pietie; but pietie taken away, it was pernicious.*

This is the trewth of the historie. Now compare the case of *Basill* with the Arch-priests: *Basill* was solicited to become an Arrian: the Arch-priest not once touched for any article of faith. *Basill* would haue obeyed the Emperour, but that the word of GOD forbade him: this man is willed to obey, because the word of GOD commandeth him. *Basill* highly esteemed the Emperours fauour, if it might haue stood with pietie: the Arch-priest is exhorted to reiect it, though it stand with trew godlinesse in deed, to embrace it. But that he may lay load vpon the Arch-priest, it is not sufficient to exhort him to courage and constancie by *Eleazarus* and *Basils* examples; but he must be vtterly cast downe with the comparing his fall to *S. Peter*, and *Marcellinus*: which two mens cases were the most fearefull, considering their persons and places, that are to be found, or read of, either in all the bookes of diuine Scripture, or the volumes of Ecclesiasticall histories; the one denying the onely trew GOD, the other our Lord and Sauour IESVS CHRIST; the one sacrificing to Idoles, with the prophane heathen: the other forswearing his Lord and Master, with the hard-hearted *Iewes*. Vnlesse the Cardinall would driue the Arch-priest to some horreur of conscience, and pit of despaire, I know not what he can meane by this comparison: For sure I am, all that are not intoxicated with their cup, cannot but wonder to heare of an Oath of Allegiance to a naturall Soueraigne, to be likened to an *Apostats* denying of God, and forswearing of his Sauour.

But to let passe the *Disdiapason* of the cases (as his ill-fauoured coupling *S. Peter* the head of their Church, with an apostate Pope) I marueile hee would remember this example of *Marcellinus*,<sup>3</sup> since his brother Cardinall *Baronius*, and the late Edition of the Councils by *Binnius*<sup>4</sup> seeme to call the credit of the whole historie into question, saying, *That it might plainly be refuted, and that it is prob-*

<sup>1</sup> Modestus as Nazianzen vpon the death of  
Basill calleth him in his oration.

<sup>2</sup> Looke cap. 12. eiusdem libri.

<sup>3</sup> Looke Platina in vita Marcellini.

<sup>4</sup> Concil. Tom. 1. pag. 222. Looke Baronius,  
Ann. 302. num. 96.

ably to be shewed, that the story is but obreptious, but that he would not swarue from the common receiued opinion.

And if a man might haue leaue to coniecture; so would his Cardinalship too, if it were not for one or two sentences in that Councell <sup>1</sup> of *Sinuessa*, which serued for his purpose; namely, that *Prima sedes à nemine iudicatur*: And, *Iudica causam tuam: nostrâ sententiâ non condemnaberis*. But to what purpose a great Councell (as he termes it) of three hundred Bishops and others, should meete together, who before they met, knew they could doe nothing: when they were there, did nothing, but like Cuckowes, sing ouer and ouer the same song: that, *Prima sedes à nemine iudicatur*; and so after three dayes sitting (a long time indeed for a great and graue Councell) brake so bluntly vp: and yet, that there should be seuentie two witnesses brought against him, and that they should subscribe his excommunication, and that at his owne mouth hee tooke the *Anathema maranatha*: how these vntoward contradictions shall be made to agree, I must send the Cardinall to *Venice*, to *Padre Paulo*, who in his Apologie <sup>2</sup> against the Cardinals oppositions, hath handled them very learnedly.

But from one Pope, let vs passe to another: (for, what a principall article of Faith and Religion this Oath is, I haue already sufficiently proued.) Why hee called S. *Gregory* <sup>3</sup> our Apostle, I know not, vnlesse perhaps it be, for that hee sent *Augustine* <sup>4</sup> the Monke and other with him into England, to conuert vs to the faith of Christ, wherein I with the *Popes* his successours would follow his patterne: For albeit hee sent them by diuine reuelation (as hee said) into England vnto King *Ethelbert*; yet when they came, they exercised no part of their function, but by the Kings leaue and permission. So did King *Lucius* <sup>5</sup> send to *Eleutherius* his predecessour, and hee sent him diuers Bishops, who were all placed by the Kings authoritie. These conuerted men to the faith, and taught them to obey the King. And if the *Popes* in these dayes would but insist in these steppes of their fore-fathers; then would they not entertaine Princes fugitiues abroad, nor send them home, not onely without my leaue, but directly against the Lawes, with plots of treason and doctrine of rebellion, to draw Subiects from their obedience to me their naturall King: nor be so cruell to their owne *Mancipia*, as returning them with these wares, put either a State in ielousie of them; or them in hazard of their owne liues. Now to our Apostle (since the Cardinall will haue him so called) I perswade my selfe I should doe a good seruice to the Church in this my labour, if I could but reape this one fruit of it, to moue the Cardinall to deale faithfully with the Fathers, & neuer to alledge their opinions against their own purpose: For, this letter of *Gregorius* <sup>6</sup> was written to *Iohn* Bishop of *Palermo* in *Sicily*, to whom he granted *vsu* *pallij*, to be worne in such times, and in such

<sup>1</sup> See Tom. 1. Concil. in Act. Concil. Sinuess.

<sup>2</sup> Apol. Pat. Paul. aduersus opposit. Card. Bellar.

<sup>3</sup> Greg. lib. 11. cap. 42.

<sup>4</sup> Beda Ecclesi. Hist. gen. Ang. lib. 1. cap. 25.

<sup>5</sup> Beda Ecclesi. Hist. gen. Ang. lib. 1. cap. 4.

<sup>6</sup> Greg. lib. 11. cap. 42.



order as the Priests in the Ile of *Sicily*, and his predecessors were wont to vse: and withall giueth him a caueat, *That the reuerence to the Apostolike Sea, be not disturbed by the presumption of any: for then the state of the members doeth remaine sound, when the head of the Faith is not bruised by any iniury, and the authoritie of the Canons alwayes remaine safe and sound.*

Now let vs examine the words. The Epistle was written to a Bishop, especially to grant him the vse of the Pall; a ceremonie and matter indifferent. As it appeareth, the Bishop of *Rome* tooke it well at his hands, that he would not persume to take it vpon him without leaue from the Apostolike Sea, giuing him that admonition which followeth in the wordes alledged out of him: which doctrine we are so farre from impugning, that we altogether approoue and allow of the same, that whatsoever ceremony for order is thought meet by the Christian Magistrate, and the Church, the same ought inuiolably be to kept: and where the head and gouernour in matters of that nature are not obeyed, the members of that Church must needs run to hellish confusion: But that *Gregory* by that terme, *caput fidei*, held himselfe the head of our faith, and the head of all religion, cannot stand with the course of his doctrine and writings: For first, when an other would haue had this stile to be called *Vniuersalis Episcopus*,<sup>1</sup> hee said, *I doe confidently auouch, that whosoever called himselfe, or desireth to be called Vniuersall Bishop, in this aduancing of himselfe, is the fore-runner of the Antichrist:*<sup>2</sup> which notwithstanding was a stile farre inferiour to that of *Caput fidei*. And when it was offered to himselfe the wordes of S. *Gregory*<sup>3</sup> be these, refusing that Title: *None of my predecessours [Bishops of Rome,] euer consented to vse this prophane name [of vniuerfall Bishop.] None of my predecessours euer tooke vpon him this name of singulartie, neither consented to vse it, Wee the Bishops of Rome doe not seeke, nor yet accept this glorious title, being offered vnto vs.* And now, I pray you, would he that refused to be called Vniuersall Bishop, be stiled *Caput fidei*, vnlesse it were in that sense, as I haue expressed? which sense if he will not admit, giue me leaue to say that of *Gregorie*, which himselfe sayeth of *Lyra*,<sup>4</sup> *Minus cautè locutus est:* or which he elsewhere sayth of *Chrysostome*,<sup>5</sup> *Locutus est per excessum.* To redeeme therefore our Apostle out of his hands, and to let him remaine ours, and not his in this case; it is very trew that he sayth in that sense he spake it. When yee goe about to disturbe, diminish, or take away the authoritie or supremacie of the Church, which resteth on the head of the King, within his dominions, ye cut off the head and chiefe gouernour thereof, and disturbe the state and members of the whole body. And for a conclusion of this point, I pray him to think, that we are so well perswaded of the good minde of our Apostle S. *Gregory* to vs, that wee desire no other thing to be suggested to the Pope and his Cardinals, then our Apostle S. *Gregory*<sup>6</sup> desired *Sabinian* to suggest vnto the Emperour and the

<sup>1</sup> John of Constantinople. See Greg. lib. 4. Epist. 32.

<sup>2</sup> Lib. 6. Epist. 30.

<sup>3</sup> Greg. lib. 4. epist. 32. & 36.

<sup>4</sup> Bellar. de Rom. Pont. lib. 2. cap. 10.

<sup>5</sup> Idem. lib. 2. de Missa, cap. 10.

<sup>6</sup> Greg. lib. 7. Epist. 1.

State in his time. His words be these: *One thing there is, of which I would haue you shortly to suggest to your most noble Lord and Master: That if I his seruant would haue had my hand in slaying of the Lombards, at this day the Nation of the Lombards had neither had King, nor Dukes, nor Earles, and had beene diuided asunder in vtter confusion: but because I feare God, I dread to haue my hand in the blood of any man.*

And thus hauing answered to S. Gregory, I come to another Pope, his Apostle, S. Leo. And that hee may see, I haue not in the former citations, quarelled him like a Sophister for contention sake, but for finding out of the trewth, I doe grant, that the authorities out of Leo,<sup>1</sup> are rightly alledged all three, the wordes trewly set downe, together with his trew intent and purpose: but withall, let me tell him, and I appeale vnto his owne conscience, whether I speake not trewly, that what Tullie said to Hortensius,<sup>2</sup> when he did immoderately praise eloquence, that hee would haue lift her vp to Heauen, that himselfe might haue gone vp with her; So his S. Leo lift vp S. Peter with praises to the skie, that he being his heire, might haue gone vp with him:<sup>3</sup> For his S. Leo was a great Oratour, who by the power of his eloquence redeemed Rome from fire, when both Attilas and Gensericus would haue burnt it.<sup>4</sup>

Some fruites of this rhetoricke hee bestowed vpon S. Peter, saying, *The Lord<sup>5</sup> did take Peter into the fellowship of the indiuisible vnitie:* which wordes being coupled to the sentence alledged by the Cardinall (*that he hath no part in the diuine Myserie, that dare depart from the soliditie of Peter*) should haue giuen him, I thinke, such a skarre, as hee should neuer haue dared to haue taken any aduantage by the wordes immediatly preceding, for the benefite of the Church of Rome, and the head thereof; since those which immediatly follow, are so much derogatorie to the diuine Maiestie. And againe, *My writings<sup>6</sup> be strengthened by the authoritie and merit of my Lord, most blessed S. Peter. We beseech<sup>7</sup> you to keepe the things decreed by vs through the inspiration of God, and the Apostle most blessed S. Peter. If anything<sup>8</sup> be well done, or decreed by vs; If anything be obtained of Gods mercy by daily prayers, it is to be ascribed to S. Peters workes and merits, whose power doeth liue, and authoritie excell in his owne Sea. Hee was so plentifully<sup>9</sup> watered of the very fountaine of all graces, that whereas he receiued many things alone, yet nothing passeth ouer to any other, but hee was partaker of it.* And in a word, hee was so desirous to extoll Saint Peter, that a messenger from him was *an embassage<sup>10</sup> from Saint Peter: any thing done in his presence,<sup>11</sup> was in S. Peters presence.* Neither did he vse all this Rhetoricke without purpose: for at that time the Patriarch of Constantinople contended with him for Primacie. And in the Coun-

<sup>1</sup> Leo primus in die assump. suæ ad Pont. serm. 3; Leo Epist. 89. ad Episc. Vien. Idem ibid. ca. 2.

<sup>2</sup> Cic. in Hort.

<sup>3</sup> For so hee calleth himselfe in serm. x. in die assump.

<sup>4</sup> Ex breuiario Romano.

<sup>5</sup> Epist. 89.

<sup>6</sup> Epist. 52.

<sup>7</sup> Epist. 89.

<sup>8</sup> In serm. 2 in die anniu. assump. suæ.

<sup>9</sup> Sermon. 3. in die anniu. assump. suæ.

<sup>10</sup> Epist. 24.

<sup>11</sup> Epist. 4.



cell of *Chalcedon*,<sup>1</sup> the Bishops, sixe hundred and more, gaue equall authoritie to the Patriarch of that Sea, and would not admit any Priuiledge to the Sea of *Rome* about him; but went against him. And yet he that gaue so much to *Peter*, tooke nothing from *Cæsar*; but gaue him both his Titles and due, giuing the power of calling a Councell to the Emperour; as it may appeare by these one or two places following of many. *If it may please your godlinesse to vouchsafe at our supplication to condescend, that you will command a Councell of Bishops to be holden within Italy.*<sup>2</sup> And writing vnto the Bishop of Constantinople: *Because the most clement Emperour,*<sup>3</sup> *carefull of the peace of the Church, will haue a Councell to be holden; albeit it evidently appeare, the matter to be handled doeth in no case stand in neede of a Councell.* And againe, *Albeit my occasions will not permit me to be present vpon the day of the Councell of Bishops, which your godlinesse hath appointed.*<sup>4</sup> So as by this it may well appeare, that hee that gaue so much to *Peter*, gaue also to *Cæsar* his due and prerogatiue. But yet he playeth not faire play in this, that euen in all these his wrong applied arguments and examples, hee produceth no other witnesses, but the parties themselues; bringing euer the *Popes* sentences for approbation of their owne authoritie.

Now indeed for one word of his in the midst of his examples, I cannot but greatly commend him; that is, that Martyrs ought to endure all sorts of tortures and death, before they suffer one syllable to be corrupted of the Law of God. Which lesson, if hee and all the rest of his owne profession would apply to themselves, then would not the Sacrament be administred *sub vnâ specie*, directly contrary to Christs institution, the practise of the Apostles and of the whole Primitive Church for many hundred yeeres: then would not the priuate Masses be in place of the Lordes Supper: then would not the words of the Canon<sup>5</sup> of the Masse be opposed to the words of S. *Paul* and S. *Luke*, as our Aduersarie himselfe confesseth, and cannot reconcile them: nor then would not so many hundredths other traditions of men be set vp in their Church, not onely as equall, but euen preferred to the word of God. But sure in this point I feare I haue mistaken him: for I thinke hee doeth not meane by his *Diuina Dogmata*, the word of the God of heauen, but onely the Canons and Lawes of his *Dominus Deus Papa*: otherwise all his Primacie of the Apostolike Sea would not be so much sticken vpon, hauing so slender ground in the word of God.

And for the great feare he hath, that the suddennes of the apprehension, the bitterness of the persecution, the weaknesse of his aage, and other such infirmities might haue been the cause of the Arch-priests fall; in this, I haue already sufficiently answered him; hauing declared, as the trewth is, and as the said *Blackwell* himselfe will yet testifie, that he tooke this Oath freely of himselfe, without any inducement thereunto, either *Precibus* or *Minis*.

<sup>1</sup> Concil. Chalcedon. Act. 16. & Can. 28.

<sup>2</sup> Epist. 9. Theodosio.

<sup>3</sup> Epist. 16. Flau.

<sup>4</sup> Epist. 17. Theodosio.

<sup>5</sup> Bellar. de sacra Eucharist. lib. 4. cap. 14.

But amongst all his citations, hee must not forget holy *Sanderus* and his *visibilis Monarchia*, whose person and actions I did already a little touch. And surely who will with vnpartial eyes reade his bookes, they may well thinke, that hee hath deserued well of his English Romane-Church; but they can neuer thinke, but that hee deserued very ill of his English Soueraigne and State: Witnesse his owne books; whereout I haue made choice to set downe heere these fewe sentences following, as flowers pickt out of so worthy a garland. *Elizabeth*<sup>1</sup> *Queene of ENGLAND*, doeth exercise the Priestly acte of teaching and preaching the Gospel in ENGLAND, with no lesse authority than Christ himselfe, or Moses euer did. The supremacie of a woman<sup>2</sup> in Churchmatters is from no other, then from the Deuil. And of all things in generall thus he speaketh, *The King*<sup>3</sup> that will not inthrall himselfe to the Popes authoritie, he ought not to be tolerated; but his Subiects ought to giue all diligence, that another may be chosen in his place assoone as may be. A King that is an Heretike,<sup>4</sup> ought to be remooued from the Kingdome that hee holdeth ouer Christians; and the Bishops ought to endeaour to set vp another, assoone as possibly they can. Wee doe constantly affirme,<sup>5</sup> that all Christian Kings are so farre vnder Bishops and Priests in all matters appertaining to faith, that if they shall continue in a fault against Christian Religion, after one or two admonitions, obstinately, for that cause they may and ought to be deposed by the Bishops from their temporall authoritie they holde ouer Christians. Bishops<sup>6</sup> are set ouer temporall kingdomes, if those kingdomes doe submit themselues to the faith of Christ. We doe iustly affirme,<sup>7</sup> that all Secular power, whether Regall, or any other, is of men. The anoynting<sup>8</sup> which is powred vpon the head of the King by the Priests, doeth declare that hee is inferiour to the Priest. It is altogether against the will of Christ,<sup>9</sup> that Christian kings should haue supremacie in the Church.

And whereas for the crowne and conclusion of all his examples, he reckoneth his two English Martyrs, *Moore* and *Roffensis*, who died for that one most weightie head of doctrine, as he alledgeth, refusing the Oath of Supremacie; I must tell him, that he hath not been well informed in some materiall points, which doe very neerely concerne his two said Martyrs: For it is cleare and apparantly to be prooued by diuers Records, that they were both of them committed to the Tower about a yeere before either of them was called in question vpon their liues, for the Popes Supremacie; And that partly for their backwardnesse in the point of the establishment of the Kings succession, whereunto the whole Realme had subscribed, and partly for that one of them, to wit, *Fisher*, had had his hand in the matter of the holy maide of *Kent*;<sup>10</sup> hee being for his concealement of that false prophets abuse, found guiltie of misprision of Treason. And as these were the principall causes of their imprisonment (the King resting secure of his Suprem-

<sup>1</sup> Sand. de visib. Monar. lib. 6. cap. 4.

<sup>2</sup> Sand. de clau. David. li. 6. c. 1.

<sup>3</sup> Sand. de visib. Monar. lib. 2 cap. 4.

<sup>4</sup> Ibidem.

<sup>5</sup> Ibidem.

<sup>6</sup> Ibidem.

<sup>7</sup> Sand. de clau. David. li. 5. c. 2.

<sup>8</sup> Ibidem.

<sup>9</sup> Sand. de clau. David. li. 5. c. 4.

<sup>10</sup> Called Elizabeth Barton. See the Act of Parliament.



acie, as the Realme stood then affected, but especially troubled for settling the Crowne vpon the issue of his second mariage) so was it easily to be conceiued, that being thereupon discontented, their humours were thereby made apt to draw them by degrees, to further opposition against the King and his authoritie, as indeede it fell out: For in the time of their being in prison, the Kings lawfull authoritie in cases Ecclesiasticall being published and promulged, as well by a generall decree of the Clergie in their Synode, as by an Acte of Parliament made thereupon; they behaued themselves so peeuishly therein, as the olde coales of the Kings anger being thereby raked vp of new, they were againe brought in question; as well for this one most weighty head of doctrine of the *Pope* his supremacy, as for the matter of the Kings mariage and succession, as by the confession of one of themselves, euen *Thomas Moore*, is euident: For being condemned, he vsed these words at the barre before the Lords, *Non ignoro cur me morti adiudicaueritis; videlicet ob id, quòd nunquam voluerim assentiri in negotio matrimonii Regis.*<sup>1</sup> That is, *I am not ignorant why you haue adiudged mee to death: to wit, for that I would neuer consent in the business of the new mariage of the King.* By which his owne confession it is plaine, that this great martyr himselfe tooke the cause of his owne death, to be onely for his being refractary to the King in this said matter of Marriage and Succession; which is but a very fleshly cause of Martyrdome, as I conceiue.

And as for *Roffensis* his fellow Martyr (who could haue bene content to haue taken the Oath of the Kings Supremacie, with a certaine modification, which *Moore* refused) as his imprisonment was neither onely, nor principally for the cause of Supremacie, so died hee but a halting and a singular Martyr or wnesse for that most weighty head of doctrine; the whole Church of *England* going at that time, in one current and streame as it were against him in that Argument, diuers of them being of farre greater reputation for learning and sound iudgement, then euer he was. So as in this point we may well arme our selues with the Cardinals owne reason, where he giueth amongst other notes of the trew Church, *Vniuersalitie* for one, wee hauing the generall and Catholique conclusion of the whole Church of *England*, on our side in this case, as appeareth by their booke set out by the whole Conuocation of *England*, called, *The Institution of a Christian man*; the same matter being likewise very learnedly handled by diuers particular learned men of our Church, as by *Steuens Gardiner* in his booke *De vera obedientia*, with a Preface of Bishop *Boners* adioyning to it, *De summo & absoluto Regis Imperio*, published by *M. Bekinsaw*, *De vera differentia Regiæ Potestatis & Ecclesiasticæ*, Bishop *Tonstals* Sermon, Bishop *Longlands* Sermon, the letter of *Tonstall* to Cardinall *Poole*, and diuers other both in English and Latine. And if the bitterness of *Fishers* discontentment had not bene fed with his dayly ambitious expectation of the Cardinals hat, which came so neere as *Calis* before he lost his head to fill it with, I haue great reason to doubt, if he would haue con-

<sup>1</sup> Histor. aliquot Martyrum nostri seculi, Anno 1550.

stanly perseuered in induring his Martyrdome for that one most waighty head of doctrine.

And surely these two Captaines and ringleaders to Martyrdome were but ill followed by the rest of their countrey men: for I can neuer reade of any after them, being of any great accompt, and that not many, that euer sealed that waighty head of doctrine with their blood in *England*. So as the trew causes of their first falling in trouble (whereof I haue already made mention) being rightly considered vpon the one part, and vpon the other the scant number of witnesses, that with their blood sealed it (a point so greatly accompted of by our Cardinal) there can but smal glory redound thereby to our English nation, these onely two *Enoch* and *Elias*, seruing for witnesses against our Antichristian doctrine.

And I am sure the Supremacie of Kings may, & wil euer be better maintained by the word of God (which must euer be the trew rule to discerne all waighty heads of doctrine by) to be the trew and proper office of Christian Kings in their owne dominions, then he will be euer able to maintaine his annihilating Kings, and their authorities, together with his base and vnreuerend speaches of them, wherewith both his former great Volumes, and his late Bookes against *Venice* are filled. In the old Testament, Kings were directly<sup>1</sup> *Gouernours* over the Church within their Dominions,<sup>2</sup> purged their corruptions; reformed their abuses, brought the Arke<sup>3</sup> to her resting place, the King<sup>4</sup> dancing before it;<sup>5</sup> built the Temple;<sup>6</sup> dedicated the same, assisting in their owne persons to the sanctification thereof; made the Booke of the Law<sup>7</sup> new-found, to bee read to the people;<sup>8</sup> renewed the Couenant between God and his people;<sup>9</sup> bruised the brasen serpent in pieces, which was set vp by the expresse commandement of God, and was a figure of Christ; destroyed all Idoles,<sup>10</sup> and false gods; made a publike reformation,<sup>11</sup> by a Commission of Secular men and Priests mixed for that purpose; deposed the high Priest,<sup>12</sup> and set vp another in his place: and generally, ordered euery thing belonging to the Church-gouernment, their Titles and Prerogatiues giuen them by God, agreeing to these their actions. They are called *the Sonnes*<sup>13</sup> of the most High, nay, *Gods*<sup>14</sup> *themselves*; *The Lords*<sup>15</sup> *anoynted*, *Sitting in Gods*<sup>16</sup> *throne*; *His seruants*;<sup>17</sup> *The Angels*<sup>18</sup> of God; *According to his hearts desire*;<sup>19</sup> *The light of Israel*;<sup>20</sup> *The nursing fathers of the Church*,<sup>21</sup> with innumerable such stiles of honour, wherewith the old Testament is filled; whereof our aduersary can pretend no ignorance. And as to the new Testament, *Euery soule* is commanded to be subiect vnto them, euen for conscience sake.<sup>22</sup> All men<sup>23</sup> must be prayed for; but especially Kings, and those that are in Authoritie, that vnder them we may leade a godly, peaceable and an honest life.

<sup>1</sup> 2. Chron. 19. 4.

<sup>2</sup> 2. Sam. 5. 6.

<sup>3</sup> 1. Chron. 13. 12.

<sup>4</sup> 2. Sam. 6. 16.

<sup>5</sup> 1. Chron. 28. 6.

<sup>6</sup> 2. Chron. 6.

<sup>7</sup> 2. King. 22. 11.

<sup>8</sup> Nehe. 9. 38. Dauid. Salomon.

<sup>9</sup> 2. King. 18. 4.

<sup>10</sup> 1. King. 15. 12; 2. King. 13. 4.

<sup>11</sup> 2. Chron. 17. 8.

<sup>12</sup> 1. King. 2. 27.

<sup>13</sup> 2. Sam. 7. 14.

<sup>14</sup> Psal. 82. 6. & exod. 22. 8.

<sup>15</sup> 1. Sam. 24. 11.

<sup>16</sup> 1. Chro. 9. 8.

<sup>17</sup> 2. Chro. 6. 15.

<sup>18</sup> 2. Sam. 14. 20.

<sup>19</sup> 1. Sam. 13. 14.

<sup>20</sup> 2. Sam. 21. 17.

<sup>21</sup> Isa. 49. 23.

<sup>22</sup> Rom. 13. 5.

<sup>23</sup> 1. Tim. 2. 2.



*The Magistrate*<sup>1</sup> is the minister of God, to doe vengeance on him that doeth euill, and reward him that doeth well. Ye must obey all higher powers, but especially Princes,<sup>2</sup> and those that are supereminent. Giue euery man his due, feare<sup>3</sup> to whom feare belongeth, and honour to whome honour. Giue vnto Cæsar<sup>4</sup> what is Cæsars, and to God what is Gods.<sup>5</sup> *Regnum meum non est huius mundi.*<sup>6</sup> *Quis me constituit Iudicem super vos?*<sup>7</sup> *Reges gentium dominantur eorum, vos autem non sic.* If these examples, sentences, titles, and prerogatiues, and innumerable other in the Old and New Testament doe not warrant Christian Kings, within their owne dominions, to gouerne their Church, as well as the rest of their people, in being *Custodes vtriusque Tabulæ*, not by making new Articles of Faith, (which is the Popes office, as I said before) but by commanding obedience to be giuen to the word of God, by reforming the religion according to his prescribed will, by assisting the spirituall power with the temporall sword, by reforming of corruptions, by procuring due obedience to the Church, by iudging, and cutting off all friuolous questions and schismes, as *Constantine*<sup>8</sup> did; and finally, by making *decorum* to be obserued in euery thing, and establishing orders to bee obserued in all indifferent things for that purpose, which is the onely intent of our Oath of Supremacie: If this Office of a King, I say, doe not agree with the power giuen him by Gods word, let any indifferent man voyd of passion, iudge. But how these honourable offices, styles, and prerogatiues giuen by God to Kings in the Old and New Testament, as I haue now cited, can agree with the braue styles and titles that *Bellarmino* giueth them, I can hardly conceiue.

That Kings are rather slaues then Lords.<sup>9</sup>

That they are not onely subiects to Popes, to Bishops, to Priests, but euen to Deacons.<sup>10</sup>

That an Emperour must content himselfe to drinke, not onely after a Bishop, but after a Bishops Chaplen.<sup>11</sup>

That Kings haue not their Authoritie nor Office immediatly from God, nor his Law, but onely from the Laws of Nations.<sup>12</sup>

That Popes haue degraded many Emperours, but neuer Emperour degraded the Pope; nay, euen Bishops,<sup>13</sup> that are but the Popes vassals, may depose Kings, and abrogate their lawes.<sup>14</sup>

That Church-men are so farre aboue Kings, as the soule is aboue the body.<sup>15</sup>

That Kings may be deposed by their people, for diuers respects.<sup>16</sup>

But Popes can by no meanes be deposed: for no flesh hath power to iudge of them.<sup>17</sup>

That obedience due to the Pope, is for conscience sake.<sup>18</sup>

But the obedience due to Kings, is onely for certaine respects of order and policie.<sup>19</sup>

<sup>1</sup> Rom. 13. 4.

<sup>2</sup> 1. Pet. 2. 13.

<sup>3</sup> Rom. 13. 7.

<sup>4</sup> Mat. 22. 21.

<sup>5</sup> Iohn 18. 36.

<sup>6</sup> Luk. 12. 14.

<sup>7</sup> Luk. 22. 25.

<sup>8</sup> Euseb. lib. 3. de vita Constantini.

<sup>9</sup> De laicis cap. 7.

<sup>10</sup> De Pont. li. 1. cap. 7.

<sup>11</sup> Ibidem.

<sup>12</sup> Ibid. & de Cler. cap. 28.

<sup>13</sup> De Rom. Pontif. lib. 5. cap. 8.

<sup>14</sup> De Pont. lib. 3. cap. 6.

<sup>15</sup> De laicis cap. 8.

<sup>16</sup> De Pont. li. 5. cap. 18.

<sup>17</sup> De Pon. lib. 2. cap. 26.

<sup>18</sup> De Pont. lib. 4. cap. 15.

<sup>19</sup> De Clericis, cap. 28.

That *these very Church-men that are borne, and inhabite in Soueraigne Princes countreys, are notwithstanding not their Subiects, and cannot bee iudged by them, although they may iudge them.*<sup>1</sup>

And, that *the obedience that Church-men giue to Princes, euen in the meanest and meere temporall things, is not by way of any necessarie subiection, but onely out of discretion, and for obseruation of good order and custome.*<sup>2</sup>

These contrarieties betweene the Booke of God, and *Bellarmines* bookes, haue I heere set in opposition each to other, *Vt ex contrariis iuxta se positis, veritas magis elucescere possit.* And thus farre I dare boldly affirme, that who-soeuer will indifferently weigh these irreconciliable contradictions here set downe, will easily confesse, that CHRIST is no more contrarie to Belial, light to darknesse, and heauen to hell, then *Bellarmines* estimation of Kings, is to Gods.

Now as to the conclusion of his letter, which is onely filled with strong and pithie exhortations, to perswade and confirme *Blackwell* to the patient and constant induring of martyrdome, I haue nothing to answere, saue by way of regrave; that so many good sentences drawn out of the Scripture, so well and so handsomely packed vp together, should be so ill and vntrewly applied: But an euill cause is neuer the better for so good a cloake; and an ill matter neuer amended by good wordes: And therefore I may iustly turne ouer that craft of the diuell vpon himselfe, in vsing so holy-like an exhortation to so euill a purpose. Onely I could haue wished him, that hee had a little better obserued his *decorum* herein, in not letting slippe two or three prophane words amongst so many godly mortified Scripture sentences. For in all the Scripture, especially in the New Testament, I neuer read of *Pontifex Maximus*. And the Pope must be content in that style to succeed according to the Law and institution of *Numa Pompilius*, and not to *S. Peter*, who neuer heard not dreamed of such an Office.

And for his *Caput fidei*, which I remembred before, the Apostles (I am sure) neuer gaue that style to any, but to CHRIST: So as these styles, whereof some were neuer found in Scripture, and some were neuer applied but to CHRIST in that sense, as hee applieth it, had beene better to haue beene left out of so holy and mortified a letter.

To conclude then this present Discourse, I heartily with all indifferent readers of the *Breues* and Letter, not to iudge by the speciousnesse of the wordes, but by the weight of the matter; not looking to that which is strongly alledged, but iudiciously to consider what is iustly prooued: And for all my owne good and naturall Subiects, that their hearts may remaine established in the trewth; that these forraine inticements may not seduce them from their natall and naturall duetie; and that all aswell strangers, as naturall subiects, to whose eyes this Discourse shall come, may wisely and vnpartially iudge of the Veritie, as it is nakedly here set downe, for clearing these mists and cloudes of calumnies, which were iniustly heaped vpon me; for which end onely I heartily pray the courteous Reader to be perswaded, that I tooke occasion to publish this Discourse.

<sup>1</sup> Ibidem.

<sup>2</sup> Ibidem.



A PREMONITION TO ALL MOST MIGHTIE MONARCHES,  
KINGS, FREE PRINCES, AND STATES OF  
CHRISTENDOME.

TO THE MOST SACRED AND INVINCIBLE PRINCE, RODOLPHE THE II. BY  
GODS CLEMENCIE ELECT EMPEROUR OF THE ROMANES;  
KING OF GERMANIE, HVNGARIE, BOHEME, DALMATIE, CROATIE, SCLA-  
VONIE, &c.

ARCH-DUKE OF AVSTRIA, DUKE OF BVRGVNDIE, STIRIA, CARINTHIA, CAR-  
NIOLA, AND WIRTEMBERG, &c. EARLE OF TYROLIS, &c.

AND TO ALL OTHER RIGHT HIGH AND MIGHTIE KINGS; AND RIGHT EX-  
CELLENT FREE PRINCES AND STATES OF CHRISTENDOME; OUR LOUING  
BRETHREN, COSINS, ALLIES, CONFEDERATES AND FRIENDS:

JAMES BY THE GRACE OF GOD, KING OF GREAT BRITAIN, FRANCE AND IRELAND; PRO-  
FESSOR, MAINTAINER AND DEFENDER OF THE TREW, CHRISTIAN, CATHOLIQUE AND  
APOSTOLIQUE FAITH, PROFESSED BY THE ANCIENT AND PRIMITIVE CHVRCH, AND SEALED  
WITH THE BLOOD OF SO MANY HOLY BISHOPS, AND OTHER FAITHFULL CROWNED WITH THE  
GLORY OF MARTYRDOME; WISHETH EVERLASTING FELICITIE IN CHRIST OUR SAVIOVR.

TO YOU MOST SACRED AND INVINCIBLE EMPEROVR; RIGHT HIGH AND MIGHTIE  
KINGS; RIGHT EXCELLENT FREE PRINCES AND STATES, MY LOVING BRETH-  
REN AND COSINS:

TO you, I say, as of right belongeth, doe I consecrate and direct this Warn-  
ing of mine, or rather *Preamble* to my reprinted *Apologie for the Oath of  
Allegiance*: For the cause is generall, and concerneth the Authoritie and priuiledge  
of Kings in generall, and all supereminent Temporall powers. And if in what-  
soever Societie, or Corporation of men, either in Corporations of Cities, or in the  
Corporation of any mechanicke craft or handie-worke, euery man is carefull to  
maintaine the priuiledges of that Societie whereunto he is sworne; nay, they will  
rather cluster all in one, making it a common cause, exposing themselues to all  
sorts of perill, then suffer the least breach in their Liberties; If those of the baser  
sort of people, I say, be so curious and zealous for the preseruacion of their com-  
mon priuiledges and liberties, as if the meanest amongst them be touched in any  
such point, they thinke it concerneth them all: Then what should wee doe in such  
a case, whom GOD hath placed in the highest thrones vpon earth, made his  
Lieutenants and Vice-gerents, and euen seated vs vpon his owne Throne to exe-  
cute his Iudgements? The consideration hereof hath now moued mee to expone  
a Case vnto you, which doeth not so neerely touch mee in my particular, as it  
doeth open a breach against our Authoritie, (I speak in the plurall of all Kings)  
and priuiledge in generall. And since not onely all rankes and sorts of people in

all Nations doe inuiolably obserue this *Maxime*, but euen the Ciuil Law, by which the greatest part of Christendome is gouerned, doeth giue them an interest, *qui fouent consimilem causam*; How much more then haue yee interest in this cause, not beeing *similis* or *par causa* to yours, but *eadem* with yours? and indeed yee all *fouetis*, or at least *fouere debetis eandem causam mecum*. And since this cause is common to vs all; both the Ciuill Lawes, and the municipall Lawes of all Nations, permit and warne them, that haue a common interest, to concurre in one for the defence of their common cause; yea, common sense teacheth vs with the Poet, *Ecquid*

*Ad te pòst paulò ventura pericula sentis?*

*Nam tua res agitur paries cùm proximus ardet.*

Awake then while it is time, and suffer not, by your longer sleepe, the strings of your Authoritie to be cut *in singulis*, and one and one to your generall ruine, which by your vnited forces, would rather make a strong rope for the enemie to hang himselfe in, with *Achitophel*, then that hee should euer bee able to breake it. As for this Apologie of mine, it is trew, that I thought good to set it first without putting my name vnto it; but neuer so, as I thought to denie it, remembring well mine owne words, but taken out of the Scripture, in the beginning of the Preface to the Reader, in my ΒΑΣΙΛΙΚΟΝ ΔΩΡΟΝ, *that nothing is so hid, which shall not bee opened, etc.*: promising there, which with GOD his grace I shall euer performe, neuer to doe that in secret, which I shall need to be ashamed of, when it shall come to be proclaimed in publike.

In deed I though it fit, for two respects, that this my *Apologie* should first visite the world without hauing my name written in the forehead thereof. First because of the *matter*, and next of the *persons* that I medled with. The *matter*, it being a *Treatise*, which I was to write, conteining reasons and discourses in *Diuinitie*, for the defence of the *Oath of Allegiance*, and refutation of the condemners thereof; I thought it not comely for one of my place, to put my name to bookes concerning Scholasticke *Disputations*; whose calling is to set forth *Decrees* in the Imperatiue mood: for I thinke my selfe as good a man as the Pope, by his reuerence, for whom these my *Answerers* make the like excuse; for that his *Breues* are so summary without yeelding any reason vnto them. My next reason was the respect of the *persons* whom with I medled: Wherein, although I shortly answered the Popes *Breues*; yet the point I most laboured, being the refutation of *Bellarmines* Letter, I was neuer the man, I confesse, that could thinke a *Cardinall* a meet match for a *King*: especially, hauing many hundreth thousands of my subiects of as good birth as hee. As for his Church dignitie, his *Cardinalship* I meane, I know not how to ranke or value it, either by the warrant of God his word, or by the ordinance of *Emperours* or *Kings*; it being indeed onely a new *Papall* erection, tolerated by the sleeping conniueance of our *Predecessours* (I meane still by the plurall of *Kings*.) But notwithstanding of this my forbearing to put my name vnto it, some *Embassadours* of some of you (my louing *Brethren*



and *Cousins*) whome this cause did neereliest concerne, can witnesse, that I made Presents of some of those bookes, at their first printing, vnto them, and that auowedly in my owne name. As also the English *Paragraphist*, or rather peruerse Pamphleter *Parsons*, since all his description must runne vpon a *P.* hath trewly obserued, that my Armes are affixed in the frontispice thereof, which vseth not to bee in bookes of other mens doing; whereby his malice in pretending his ignorance, that hee might pay mee the soundlier, is the more inexcusable. But now that I finde my sparing to put my name vnto it hath not procured my sparing by these answerers, who haue neither spared my Person directly in naming me, nor indirectly by railing vpon the Author of the Booke: it is now high time for me no longer to conceale not disauow my selfe, as if I were ashamed of my owne deed. And therefore that ye may the better vnderstand the nature of the cause, I will begin at the first ground thereof.

The neuer enough wondered at and abhorred POWDER-TREASON (though the repetition thereof grieueth, I know, the gentle hearted Iesuite *Parsons*) this Treason, I say, being not onely intended against mee and my Posteritie, but euen against the whole house of Parliament, plotted onely by Papists, and they onely led thereto by a preposterous zeale for the aduancement of their Religion; some of them continuing so obstinate, that euen at their death they would not acknowledge their fault; but in their last words, immediatly before the expiring of their breath, refused to condemne themselves and craue pardon for their deed, except the *Romish* Church should first condemne it; And soone after, it being discouered, that a great number of my Popish Subiects of all rankes and sexes, both men and women, as well within as without the Countrey; had a confused notion and an obscure knowledge, that some great thing was to bee done in that Parliament for the weale of the Church; although, for secrecies cause, they were not acquainted with the particulars; certaine formes of prayer hauing likewise beene set downe and vsed for the good successe of that great errand; adding heereunto, that diuers times, and from diuers Priests, the Archtraitours themselves receiued the Sacrament for confirmation of their heart, and obseruation of secrecie; Some of the principall Iesuites likewise being found guiltie of the foreknowledge of the Treason itselfe; of which number some fled from their triall, others were apprehended (as holy *Garnet* himselfe and *Owldcorne* were) and iustly executed vpon their owne plaine confession of their guilt: If this Treason now, clad with these circumstances, did not minister a iust occasion to that Parliament house, whome they thought to haue destroyed, courageously and zealously at their next sitting downe, to vse all meanes of triall, whether any more of that minde were yet left in the Countrey; I leaue it to you to iudge, whom God hath appointed his highest Depute Iudges vpon earth: And amongst other things for this purpose, This *Oath of Allegiance*, so vniustly impugned, was then deuised and enacted. And in case any sharper Lawes were then made against the Papists, that were not obedient to the former Lawes of the Countrey; if ye will consider the *Time*, *Place* and

*Persons*, it will be thought no wonder, seeing that occasion did so iustly exasperate them to make seuerer Lawes, then otherwise they would haue done. The *Time*, I say, being the very next sitting downe of the Parliament, after the discouerie of that abominable Treason: the *Place* being the same, where they should all haue bene blowne vp, and so bringing it freshly to their memorie againe: the *Persons* being the very Parliament men whom they thought to haue destroyed. And yet so farre hath both my heart and gouernment bene from any bitterness, as almost neuer one of those sharpe additions to the former Lawes haue euer yet bene put in execution.

And that ye may yet know further, for the more conuincing these Libellers of wilfull malice, who impudently affirme, That this *Oath of Allegiance* was deuised for deceiuing and intrapping of Papists in points of Conscience; The trewth is, that the Lower house of Parliament at the first framing of this Oath, made it to containe, That the Pope had no power to excommunicate me; which I caused them to reforme, onely making it to conclude, That no excommunication of the Popes, can warrant my Subiects to practise against my Person or State; denying the deposition of Kings to be in the Popes lawfull power; as indeed I take any such temporall violence, to be farre without the limits of such a Spirituall censure as Excommunication is. So carefull was I that nothing should be contained in this Oath, except the profession of natural Allegiance, and ciuil and temporall obedience, with a promise to resist to all contrary vnciuill violence.

This Oath now grounded vpon so great and iust an occasion, set forth in so reasonable termes, and ordained onely for making of a trew distinction betweene Papists of quiet disposition, and in all other things good subiects, and such other Papists as in their hearts maintained the like violent bloody *Maximes*, that the Powder-Traitours did: This Oath, I say, being published and put in practise, bred such euill blood in the Popes head and his Cleargie, as *Breue* after *Breue* commeth forth, *ut vndam vnda sequitur*; prohibiting all Catholikes from taking the same, as a thing cleane contrary to the Catholike faith; and that the taking thereof cannot stand with the saluation of their soules.

There commeth likewise a letter of Cardinall *Bellarmines* to *Blackwell* to the same purpose; but discoursing more at length vpon the said Oath. Whereupon, after I had entred in consideration of their vniust impugning that so iust and lawfull an Oath; and fearing that by their vntrew calumnies and Sophistrie the hearts of a number of the most simple and ignorant of my people should bee misse-led, vnder that faire and deceitfull cloake of Conscience; I thought good to set foorth an *Apologie* for the said Oath: wherein I prooued, that as this Oath contained nothing but matter of ciuill and temporall Obedience, due by Subiects to their Soueraigne Prince; so this quarrelling therewith was nothing but a late usurpation of Popes (against the warrant of all Scriptures, ancient Councils and Fathers) vpon the Temporall power of Kings, wherewith onely my *Apologie* doeth meddle. But the publishing of this Booke of mine hath brought such two An-



swerers, or rather Railer vpon mee, as all the world may wonder at: For my Booke being first written in English, an English Oath being the subiect thereof, and the vse of it properly belonging to my Subiects of *England*; and immediately thereafter being translated into Latine, vpon a desire that some had of further publishing it abroad; it commeth home to mee now answered in both the Languages. And, I thinke, if it had bene set foorth in all the tongues that were at the confusion of *Babel*, it would haue bene returned answered in them all againe. Thus may a man see how busie a Bishop the Diuell is, and how hee omitteth no diligence for venting of his poysoned wares. But herein their malice doeth clearly appeare, that they pay mee so quickly with a double answer; and yet haue neuer answered their owne Arch-priest, who hath written a booke for the maintenance of the same Oath, and of the temporall authoritie of Kings, alledging a cloud of their Scholemen against them.

As for the English *Answer*, my vnnaturall and fugitiue Subiect, I will neither defile my pen, nor your sacred eyes or eares with the describing of him, who ashames, nay, abhorres not to raile, nay, to rage and spew foorth blasphemies against the late Queene of famous memory. A Subiect to raile against his naturall Soueraigne by birth; A man to raile against a Lady by sexe; A holy man (in outward profession) to insult vpon the dead; nay to take *Radamanthus* office ouer his head, and to sit downe and play the Iudge in hell; And all his quarrell is, that either her Successour, or any of her seruants should speake honourably of her. Cursed be he that curseth the Anointed of God: and destroyed mought he be with the destruction of *Korah*, that hath sinned in the contradiction of *Korah*. Without mought such dogs and swine be cast forth, I say, out of the Spirituall *Ierusalem*.

As for my Latine *Answer*, I haue nothing to say to his person; hee is not my Subiect; hee standeth or falleth vnto his owne Lord: But sure I am, they two haue casten lotts vpon my Booke, since they could not diuide it: the one of them, my fugitiue, to raile vpon my late Predecessour, (but a rope is the fittest answer for such an Historian;) the other, a stranger, thinketh he may be boldest both to pay my person and my Booke, as indeed he doeth; which how iustly either in matter or maner, wee are now to examine.

But first, who should be the trew Authour of this booke, I can but guesse. Hee calleth himselfe *Mattheus Tortus*, Cardinall *Bellarmins* Chaplaine. A throwne<sup>1</sup> Euangelist indeed, full of throward Diuinitie; an obscure Authour, vtterly vnknown to mee, being yet little knowne to the world for any other of his workes: and therefore must be a very desperate fellow in beginning his *apprentisage*, not onely to refute, but to raile vpon a King. But who will consider the carriage of the whole booke, shall finde that hee writeth with such authoritie, or at the least *tam elato stylo*, so little sparing either Kings in generall, or my person in particular; and with such a greatnesse, *Habemus*<sup>2</sup> *enim exemplaria Breuium illorum in manibus*, and *Decernimus*:<sup>3</sup> as it shall appeare, or at least bee very probable, that it

<sup>1</sup> Being a proper word to expresse the trew meaning of Tortus.

<sup>2</sup> P. 46.

<sup>3</sup> P. 63.

is the Masters, and not the mans labour; especially in one place, where he quarrelleth mee for casting vp his *moralis certitudo* and *piè credi* vnto him; hee there grossely forgetting himselfe, faith, *malâ fide nobiscum agit*,<sup>1</sup> thereby making this Authour to be one person with *Bellarmino*. But let it bee the worke of a *Tortus* indeed, and not of a personated Cardinall; yet must it bee the Cardinals deed, since Master *Tortus* is the Cardinals man, and doeth it in his Masters defence. The errand then being the Cardinals, and done by his owne man, it cannot but bee accounted as his owne deed; especially since the English Answerer doeth foure times promise, that *Bellarmino*, or one by his appointment, shall sufficiently answer it.

And now to come to his matter and maner of Answer: Surely if there were no more but his vnmanerly maner, it is enough to disgrace the whole matter thereof. For first, to shew his pride, in his Printers preface of the *Politan* edition of this *elegans libellus*, hee must equall the Cardinals greatnesse with mine in euery thing. For through hee confesseth this Master *Tortus* to bee an obscure man; yet being the Cardinals Chapleine, he is sufficient enough forsooth to answer an English booke, that lacketh the name of an Authour; as if a personated obscure name for Authour of a Cardinals booke, were a meete match for answering a *KINGS* Booke, that lacketh the name of an Authour; and a Cardinals Chapleine to meete with the Deane of the Kings Chappell, whom *Parsons* with the Cardinall, haue (as it seemeth) agreed vpon to intitle to bee the Authour of my *Apologie*. And not onely in the Preface, but also through the whole booke doeth hee keepe this comparatiue greatnesse. Hee must bee as short in his answer, as I am in my Booke, hee must refute all that I haue said against the Popes second *Breue*, with equall breauitie, and vpon one page almost, as I haue done mine: and because I haue set downe the substance of the Oath in foureteene Articles; in iust as many Articles must he set downe that Acte of Parliament of mine, wherein the Oath is contained: And yet, had hee contented himselfe with his owne pride, by the demonstration of his owne greatnesse, without further wronging of mee, it had bene the more tollerable. But what cause gaue I him to farce his whole booke with iniuries, both against my Person and Booke? For whereas in all my *Apologie* I haue neuer giuen him a foule word, and especially neuer gaue him the Lye: hee by the contrary giueth mee nine times the Lye in expresse termes, and seuen times chargeth mee with falsehood, which phrase is equiualent with a Lye. And as for all other wordes of reproch, as *nugæ, conuitia, temeritas, vanitas, impudentia, blasphemia sermonis barbaries, cum eadem fœlicitate scribendi, cawillationes, applicatio inepta, fingere historias, audacia quæ in hominem sanæ mentis cadere non potest, vel sensu communi caret, imperitia & leuitas, omnem omnino pudorem & conscientiam exuisse, malâ fide nobiscum agit, vt lectoribus per fas & nefas imponat*: of such like reproches, I say, I doubt if there bee a page in all his Booke free, except where hee idly sets downe the Popes *Breues*, and his owne

<sup>1</sup> Pag. 69.



*Letter*. And in case this might onely seeme to touch the vnknowne Authour of the Booke, whome notwithstanding he knew well enough, as I shew before; hee spareth not my Person with my owne name: sometimes saying, that *Pope Clement thought mee to bee inclined to their Religion*.<sup>1</sup> Sometimes, that *I was a Puritane in Scotland, and a persecutour of Protestants*.<sup>2</sup> In one place hee concludeth, *Quia Iacobus non est Catholicus, hoc ipso Hæreticus est*.<sup>3</sup> In another place, *Ex Christiano Caluinistam fecerunt*.<sup>4</sup> In another place hee sayeth, *Neque omnino verum est, Iacobum nunquam deseruisse Religionem quam primò suscepit*.<sup>5</sup> And in another place, after that hee hath compared and ranked mee with *Iulian* the Apostate, hee concludeth, *Cùm Catholicus not sit, neque Christianus est*.<sup>6</sup> If this now bee mannerly dealing with a King, I leaue it to you to iudge, who cannot but resent such indignities done to one of your qualitie.

And as for the Matter of his Booke, it well fittes indeede the Manner thereof: for hee neuer answereth directly to the maine question in my Booke. For whereas my *Apologie* handleth onely two points, as I told you before; One, to prooue that the *Oath of Allegiance* doeth onely meddle with the ciuill and temporall Obedience, due by Subiects to their naturall Soueraignes: The other, that this late vsurpation of Popes ouer the temporall power of Princes, is against the rule of all Scriptures, auncient Councils and Fathers: hee neuer improoues the first, but by a false inference; that the Oath denyeth the Popes power of Excommunication directly, since it denieth his authoritie in deposing of Kings. And for the second point, he bringeth no prooffe to the contrary, but, *Pasce oues meas*: and, *Tibi dabo clauis regni Cælorum*: and, That no Catholike euer doubted of it. So as I may trewly say of him, that hee either vnderstandeth not, or at least will not seeme to vnderstand my Booke, in neuer directly answering the maine question, as I haue already saide; and so may I iustly turne ouer vpon himselfe that doome of ignorance, which in the beginning of his Booke hee rashly pronounceth vpon mee; saying, that I neither vnderstand the Popes *Breues*, his *Letter*, nor the Oath it selfe: And as hee delighteth to repeate ouer and ouer, I know not how oft, and triumpheth in this wrong inference of his; That to deny the Popes power to depose Kings, is to denie the Popes Primacie, and his spirituall power of Excommunication: So doeth hee, vpon that ground of *Pasce oues meas*, giue the Pope so ample a power ouer Kings, to throne or dethrone them at his pleasure (and yet onely subiecting Christian Kings to that slauerie) as I doubt not but in your owne Honours yee will resent you of such indignities; the rather since it concernes so many of you as professe the Romish religion, farre more then me: For since he accounteth me an heretike, and like *Iulian* the Apostate; I am consequently *extra caulam*, and none of the Popes flocke, and so am in the case of Ethnicke Princes, ouer whom he confesseth the Pope hath no power. But yee are in the Popes folde; and you, that great Pastour may leade as sheepe to the slaughter,

<sup>1</sup> Pag. 47.<sup>2</sup> Pag. 87<sup>3</sup> Ibid.<sup>4</sup> Pag. 98.<sup>5</sup> Pag. 98.<sup>6</sup> Pag. 97.

when it shall please him. And as the Asses eares must be hornes, if the Lion list so to interprete it; so must yee be remooued as scabbed sheepe from the flocke, if so the Pope thinke you to be, though your skinne be indeed neuer so sound.

Thus hath he set such a new goodly interpretation vpon the wordes of CHRIST, *Pasce oues meas*, as if it were as much to say, as, depose Christian Kings; and that *Quodcunque solueris* gaue the Pope power to dispense with all sorts of Oathes, Vowes, Penalties, Censures and Lawes, euen with the naturall obedience of Subiects to their Souereigne Lords; much like to that new coyned glosse that his brother *Baronius*<sup>1</sup> made vpon the wordes in Saint *Peters* vision, *Surge Petre, occide & manduca*; That is (said he to the Pope) Goe kill and confound the *Venetians*.

And because I haue in my Booke (by citing a place in his controuersies) discovered him to be a small friend to Kings, he is much commoued: For whereas in his said Controuersies, speaking *de Clericis*,<sup>2</sup> he is so bolde as to affirme, that Church-men are exempted from the power of earthly Kings; and that they ought them no subiection euen in temporall matters, but onely *vi rationis* and in their owne discretion, for the preseruation of peace and good order; because, I say, citing this place of his in my Booke, I tell with admiration, that hee freeth all Church-men from any subiection to Kings, euen those that are their borne Subiects: hee is angry with this phrase, and sayth it is an addition for breeding enuie vnto him, and raising of hatred against him: For, sayth hee, although *Bellarmino* affirmed generally, that Church-men were not subiect to earthly Kings; yet did hee not insert that particular clause [*though they were borne and dwelling in their Dominions*] as if the words of Church-men and earthly Kings in generall imported not as much: for Layickes as well as Church-men are subiect to none but to their naturall Soueraigne: And yet doeth hee not sticke to confesse, that he meant it, though it was not fit (he sayth) to be expressed.

And thus quarrels hee me for reuealing his Printed secret. But whose hatred did hee feare in this? was it not yours? Who haue interest, but KINGS, in withdrawing of due subiection from KINGS? And when the greatest Monarches amongst you will remember, that almost the third part of your Subiects and of your Territories, is Church-men, and Church-liuings; I hope, yee will then consider and weigh, what a feather hee pulles out of your wings, when hee denudeth you of so many Subiects and their possessions, in the Popes fauour: nay, what briars and thornes are left within the heart of your dominions, when so populous and potent a partie shall haue their birth, education and lieulihood in your Countries, and yet owe you no subiection, nor acknowledge you for their SOVERAIGNES? So as where the Church-men of old were content with their tythe of euery mans goods; the Pope now will haue little lesse then the third part of euery Kings *Subiects* and *Dominions*. And as in this place, so throughout all the

<sup>1</sup> Senten. Card. Baron. super excom. Venet.

<sup>2</sup> Lib. de Cler. cap. 28.



rest of his booke, hee doeth nothing but amplifie the Popes power ouer Kings, and exaggerate my vnreasonable rigour for pressing this Oath; which hee will needs haue to bee nothing but a renewed Oath of *Supremacie* in more subtile and craftie termes, onely to robbe the Pope of his *Primacie* and spirituall power; making his temporall power and authoritie ouer Princes, to be one of the chiefe Articles of the Catholike Faith.

But that it may the better appeare vnto you, that all my labour and intention in this errand, was onely to meddle with that due temporall Obedience which my Subiects owe vnto mee; and not to intrap or inthrall their Consciences, as hee most falsely affirms: Yee shall first see how farre other Godly and Christian *Emperours* and *Kings* were from acknowledging the Popes temporall *Supremacie* ouer them; nay, haue created, controlled and deposed Popes: and next, what a number of my *Predecessors* in this Kingdome haue at all occasions, euen in the times of the greatest Greatnesse of Popes, resisted and plainly withstood them in this point.

And first, all Christian *Emperours* were for a long time so farre from acknowledging the Popes Superioritie ouer them, as by the contrary the Popes acknowledged themselues for their *Vassals*, reuerencing and obeying the *Emperours* as their *Lords*, for prooffe whereof, I remit you to my *Apologie*.

And for the creating of Popes; the *Emperours* were in so long and continuall possession thereof, as I will vse for my first witnesse a Pope himselfe; who (in a *Synode*<sup>1</sup> of an hundredth fiftie and three *Bishops* and *Abbots*) did ordeine, That the Emperour CHARLES the Great should haue the Right of choosing the Pope, and ordeining the Apostolicall Seate, and the Dignitie of the *Romane* Principalitie: nay, farther hee ordeined; That all *Archbishops* and *Bishops* should receiue their Inuestiture from the *Emperour*, or else bee of no auaile; And, that a *Bishop* wanting it, should not bee consecrate, pronouncing an *Anathema* against all that should disobey this Sentence.

And that the *Emperours* assent to the Popes Election was a thing ordinary for a long time, *Platina*,<sup>2</sup> and a number of the Popes owne writers beare witnesse: And *Bellarmino*<sup>3</sup> himselfe, in his booke of Controuersies, cannot get it handsomely denied. Nay, the Popes were euen forced then to pay a certaine summe of money to the *Emperours* for their Confirmation: And this lasted almost seuen hundredth yeeres after CHRIST; witnesse *Sigebert*<sup>4</sup> and *Luitprandus*,<sup>5</sup> with other Popish Historians.

And for *Emperours* deposing of Popes, there are likewise diuers *examples*. The Emperour *Otho*<sup>6</sup> deposed Pope *Iohn* the twelfth of that name, for diuers

<sup>1</sup> Sigebert. ad ann. 773. Waltham. Naumburg. lib. de Episc. inuestitura. Mart. Polon. ad ann. 780. Theod. à Niem. de priuileg. & Iurib. Imperij & dist. 63. C. Hadrian.

<sup>2</sup> See Platin. in vit. Pelag. 2. Gregor. 1. & Seuerini.

<sup>3</sup> Lib. de Clericis.

<sup>4</sup> In Chron. ad ann. 680.

<sup>5</sup> In vit. Agathen. & Anast. in vit. eiusd. Agath. & Herm. Contract. ad ann. 678. edit. poster. & dist. 63. c. Agatho.

<sup>6</sup> Luitpr. Hist. lib. 6. ca. 10. 11. Rhegino ad an. 963. & Platin. in vit. Ioan. 13.

crimes and vices; especially of Lecherie. The Emperour *Henry*<sup>1</sup> the third in a short time deposed three Popes; *Benedict* the ninth, *Silvester* the third, and *Gregorie* the sixth, as well for the sinne of Auarice, as for abusing their extraordinarie authoritie against Kings and Princes.

And as for KINGS that haue denied this Temporall Superioritie of Popes; First, wee haue the vnanime testimonie of diuers famous HISTORIOGRAPHERS for the generall of many CHRISTIAN Kingdomes. As *Walthram*<sup>2</sup> testifieth, *That the Bishops of Spaine, Scotland, England, Hungarie, from ancient institution till this moderne noueltie, had their Inuestiture by KINGS, with peaceable inioyning of their Temporalities whooly and entirely; and whosoever (sayeth hee) is peaceably solicitous, let him peruse the liues of the Ancients, and reade the Histories, and hee shall vnderstand thus much.* And for verification of this generall Assertion; wee will first beginne at the practise of the KINGS of France, though not named by *Walthram* in this his enumeration of Kingdomes: amongst whom my first witnesse shall bee that vulgarly knowne letter of *Philip le Bel*<sup>3</sup> King of France, to Pope *Boniface* the eighth, the beginning whereof, after a scornefull saluation, is, *Sciat tua maxima fatuitas, nos in temporalibus nemini subesse.*

And likewise after that *Lewes*<sup>4</sup> the ninth, surnamed *Sanctus*, had by a publike instrument (called *Pragmatica sanctio*) forbidden all the exactions of the Popes Court within his Realme: Pope *Pius*<sup>5</sup> the second, in the beginning of *Lewes* the eleuenth his time, greatly misseliking this Decree so long before made, sent his Legate to the said King *Lewes*, with Letters-patents, vrging his promise which hee had made when hee was Dolphin of France, to repeale that Sanction if euer hee came to bee King. The King referreth the Legate ouer with his Letters-patents to the Councill of Paris: where the matter being propounded, was impugned by *Iohannes Romanus*, the Kings Atturney; with whose opinion the Vniuersitie of Paris concurring, an Appeale was made from the attempts of the Pope to the next generall Councill; the Cardinall departing with indignation.

But that the King of France and Church thereof haue euer stoken to their *Gallican* immunitie, in denying the Pope any Temporall power ouer them, and in resisting the Popes as oft as euer they prest to meddle with their Temporall power, euen in the donation of Benefices; the Histories are so full of them, as the onely examples thereof would make vp a bigge Volume by it selfe. And so farre were the *Sorbonistes* for the Kings and French Churches priuiledge in this point, as they were wont to maintaine; That if the Pope fell a quarrelling the King for that cause, the *Gallican* Church might elect a *Patriarch* of their owne, renouncing any obedience to the Pope. And *Gerson* was so farre from giuing the Pope that temporall authority ouer Kings (who otherwise was a deuoute *Roman* Catholike)

<sup>1</sup> Marianus Scot. Sigeb. Abbas Vrsp. ad ann. 1046 & Plat. in vit. Greg. 6.

<sup>2</sup> Walthram. Naumburg. in lib. de inuest. Episc. Vixit circa ann. 1110.

<sup>3</sup> See Annales Franciæ Nicolai Gillij in Phil. Pulchro.

<sup>4</sup> Anno 1268. ex Arrestis Senatus Parisiens.

<sup>5</sup> Ioan. Maierius. lib. de Scismat. & Concil.



as hee wrote a Booke *de Auferibilitate Papæ*; not onely from the power ouer Kings, but euen ouer the Church.

And now pretermittting all further examples of forraigne Kings actions, I will onely content me at this time with some of my owne Predecessors examples of this kingdome of England; that it may thereby the more clearly appeare, that euen in those times when the world was fullest of darkened blindnes and ignorance, the Kings of England haue oftentimes, not onely repined, but euen strongly resisted and withstood this temporall vsurpation and encroachment of ambitious Popes.

And I will first begin at King *Henry*<sup>1</sup> the first of that name, after the Conquest; who after he was crowned gaue the Bishopricke of *Winchester* to *William Gifford*, and forwith inuested him into all the possessions belonging to the Bishopricke, contrary to the Canons of the new Synod. King *Henry*<sup>2</sup> also gaue the Archbishopricke of *Canterbury* to *Radulph* Bishop of *London*; and gaue him inuestiture by a Ring and a Crosiers staffe.

Also Pope *Calixtus*<sup>3</sup> held a Councell at RHEMES, whither King *Henry* had appointed certaine Bishops of ENGLAND and NORMANDIE to goe; *Thurstan* also, elected Archbishop of YORKE, got leaue of the King to goe thither, guing his faith that hee would not receiue Consecration of the Pope; And comming to the Synode, by his liberall gifts (as the fashion is) wanne the ROMANES fauour, and by their meanes obtained to bee consecrated at the Popes hand: Which assoone as the King of ENGLAND knewe, hee forbade him to come within his Dominions.

Moreouer King *Edward* the first prohibited the *Abbot of Waltham*<sup>4</sup> and *Deane of Pauls*, to collect a tenth of euery mans goods for a supply to the holy Land, which the Pope by three *Bulles* had committed to their charge; and the said *Deane of Pauls* compeering before the King and his *Councell*, promised for the reuerence he did beare vnto the King, not to meddle any more in that matter, without the Kings good leaue and permission. Here (I hope) a Church-man disobeyed the *Pope* for obedience to his *Prince* euen in Church matters: but this new *Iesuited* Diuinitie was not then knowen in the world.

The same *Edward I.* impleaded the *Deane of the Chappell of Vuluerhampton*, because the said *Deane* had, against the priuiledges of the Kingdome, giuen a *Prebend* of the same Chappell to one at the Popes command: whereupon the said *Deane* compeered, and put himselfe in the Kings will for his offence.

The said *Edward I.* depriued also the *Bishop of Durham* of all his liberties, for disobeying a prohibition of the Kings. So as it appeareth, the Kings in those dayes thought the Church-men their *Subiects*, though now we be taught other Seraphicall doctrine.

<sup>1</sup> Matth. Paris. in Henr. I. anno 1100.

<sup>2</sup> Idem. ibid. anno 1113.

<sup>3</sup> Idem. ibid. anno 1119.

<sup>4</sup> Ex Archiuus Regni.

For further prooffe whereof *Iohn of Ibstocke* was committed to the goale by the sayde King, for hauing a suite in the Courte of *Rome* seuen yeeres for the Rectorie of *Newchurch*.

And *Edward II.* following the footsteps of his Father; after giuing out a Summons against the Abbot of *Walden*, for citing the Abbot of Saint *Albons* and others in the Court of *Rome*, gaue out letters for his apprehension.

And likewise, because a certaine Prebend of *Banburie* had drawen one *Beuercoat* by a Plea to *Rome* without the Kings Dominions, therefore were letters of Caption sent foorth against the said Prebend.

And *Edward III.* following likewise the example of his Predecessours; Because a Parson of *Liche* had summoned the Prior of *S. Oswalds* before the Pope at *Auinion*; for hauing before the Iudges in *England* recouered the arrerage of a pension; directed a Precept, for seasing vpon all the goods both Spirituall and Temporall of the said Parson, because hee had done this in preiudice of the King and Crowne. The said King also made one *Harwoden* to bee declared culpable and worthie to bee punished, for procuring the Popes *Bulles* against a Iudgement that was giuen by the Kings Iudges.

And likewise; Because one entred vpon the Priorie of *Barnewell* by the Popes *Bul*, the said Intrans was committed to the Tower of *London*, there to remaine during the Kings pleasure.

So as my Predecessors (ye see) of this Kingdome, euen when the *Popes* triumphed in their greatnesse, spared not to punish any of their Subiects, that would preferre the *Popes* Obedience to theirs, euen in Church-matters: So farre were they then from either acknowledging the *Pope* for their temporall Superiour, or yet from doubting that their owne Church-men were not their Subiects. And now I will close vp all these examples with an Act of *Parliament* in King *Richard II.* his time; whereby it was prohibited, That none should procure a Benefice from *Rome*, vnder paine to be put out of the Kings protection. And thus may yee see, that what those Kings successiue one to another by foure generations haue acted in priuate, the same was also maintained by a publicke Law.

By these few examples now (I hope) I haue sufficiently cleered my selfe from the imputation, that any ambition or desire of Noueltie in mee should haue stirred mee, either to robbe the *Pope* of any thing due vnto him, or to assume vnto my selfe any farther authoritie, then that which other Christian *Emperours* and *Kings* through the world, and my owne Predecessours of *England* in especiall, haue long agoe maintained. Neither is it enough to say (as *Parsons* doeth in his Answer to the Lord *Coke*) That farre more Kings of this Countrey haue giuen many more examples of acknowledging, or not resisting the *Popes* vsurped Authoritie; some perchance lacking the occasion; and some the abilitie of resisting them; for euen by the Ciuill Law, in the case of violent intrusion and long and wrongfull possession against mee, it is enough if I prooue that I haue made lawfull interruption vpon conuenient occasions.



But the Cardinall thinks the Oath, not onely vnlawfull for the substance thereof, but also in regard of the Person whom vnto it is to be sworne: For (saith he) *The King is not a Catholique*; And in two or three other places of his booke, he sticketh not to call me by my name very broadly, an Heretike, as I haue already told. But yet before I be publicly declared an Heretike; by the Popes owne Law my people ought not to refuse their Obedience vnto me. And (I trust) if I were but a subiect, and accused by the Pope in his *Conclau*e before his Cardinals, hee would haue hard prouing mee an Heretike, if he iudged me by their owne ancient Orders.

For first, I am no *Apostate*, as the Cardinal would make me; not onely hauing euer bene brought vp in that Religion which I presently professe, but euen my Father and Grandfather on that side professing the same: and so cannot be properly an Heretike, by their owne doctrine, since I neuer was of their Church. And as for the Queene my Mother of worthy memorie; although she continued in that Religion wherein shee was nourished, yet was she so farre from being superstitious or *Iesuited* therein, that at my Baptisme (although I was baptized by a Popish Archbishop) she sent him word to forbear to vse the spetle in my Baptisme; which was obeyed, being indeed a filthy and an apish tricke, rather in scorne then imitation of CHRIST. And her owne very words were, *That she would not haue a pockie priest to spet in her child's mouth*. As also the Font wherein I was Christened, was sent from the late Queene here of famous memory, who was my God-mother; and what her Religion was, *Pius V.* was not ignorant. And for further prooffe, that that renowned Queene my Mother was not superstitious; as in all her Letters (whereof I receiued many) she neuer made mention of Religion, not laboured to perswade me in it; so at her last words, she commanded her Master-houshold, a Scottish Gentleman my seruant and yet aliue, she commanded him (I say) to tell me; That although she was of another Religion then that wherein I was brought vp; yet she would not presse me to change, except my owne Conscience forced mee to it; For so that I led a good life, and were carefull to doe Iustice and gouerene well; she doubted not but I would be in a good case with the profession of my owne Religion. Thus am I no *Apostate*, nor yet a deborder from that Religion which one part of my Parents professed, and an other part gaue mee good allowance of. Neither can my Baptisme in the rites of their Religion make me an *Apostate*, or Heretike in respect of my present profession, since we all agree in the substance thereof, being all Baptized *In the Name of the Father, the Sonne, and the holy Ghost*: vpon which head there is no variance amongst vs.

And now for the point of Heretike; I will neuer been ashamed to render an accompt of my profession, and of that hope that is in me, as the Apostle prescribeth. I am such a CATHOLIKE CHRISTIAN, as beleeueth the three *Cree*ds; That of the Apostles, that of the Councell of *Nice*, and that of *Athanasius*; the two latter being Paraphrases to the former: And I beleeu

the ancient Fathers and Councils that made them did vnderstand them: To which three *Creeds* all the Ministers of England doe subscribe at their Ordination. And I also acknowledge for Orthodoxe all those other formes of *Creedes*, that either were deuised by Councils or particular Fathers, against such particular Heresies as most reigned in their times.

I reuerence and admit the foure first generall Councils as Catholique and Orthodoxe: And the said foure generall Councils are acknowledged by our Acts of Parliament, and receiued for Orthodoxe by our Church.

As for the Fathers; I reuerence them as much and more then the *Iesuites* doe, and as much as themselues euer craued. For what euer the Fathers for the first fūe hundreth yeeres did with an vnanime consent agree vpon, to be beleueed as a necessary point of saluation, I either will beleuee it also, or at least will be humbly silent; not taking vpon mee to condemne the same: But for euery priuate Fathers opinion, it bindes not my conscience more then *Bellarmines*; euery one of the Fathers vsually contradicting others. I will therefore in that case follow S. *Augustines*<sup>1</sup> rule in iudging of their opinions, as I finde them agree with the Scriptures: what I finde agreeable thereunto I will gladly imbrace; what is otherwise I will (with their reuerence) reiect.

As for the Scriptures; no man doubteth I will beleuee them: But euen for the *Apocrypha*; I hold them in the same accompt that the Ancients did: They are still printed and bound with our Bibles, and publikely read in our Churches: I reuerence them as the writings of holy and good men: but since they are not found in the *Canon*, wee accompt them to bee *secundæ lectionis*, or *ordinis*<sup>2</sup> (which is *Bellarmines* owne distinction) and therefore not sufficient whereupon alone to ground any article of Faith, except it be confirmed by some other place of Canonickall Scripture; Concluding this point with *Ruffinus* (who is no Nouelist, I hope) That the *Apocryphall* books were by the Fathers permitted to be read; nor for confirmation of Doctrine, but onely for instruction of the people.

As for the Saints departed, I honour their memory, and in honour of them doe we in our Church obserue the dayes of so many of them, as the Scripture doeth canonize for Saints; but I am loath to beleuee all the tales of the *Legended saints*.

And first for the blessed Virgin MARIE, I yeeld her that which the Angel *Gabriel* pronounced of her, and which in her *Canticle* shee prophecied of herselfe: that is, That she<sup>3</sup> is blessed amongst women, and That all generations<sup>4</sup> shall call her blessed. I reuerence her as the Mother of CHRIST, whom of our Sauour tooke his flesh, and so the Mother of GOD, since the Diuintie and Humanitie of CHRIST are inseparable. And I freely confesse, that shee is in glory both aboue Angels and men, her owne Sonne (that is both GOD and man) onely excepted. But I dare not mocke her and blaspheme against GOD, calling her not onely *Diua* but *Dea*, and praying her to command and controule her Sonne, who is her GOD;

<sup>1</sup> Lib. 2. cont. Cresconium. cap. 32.

<sup>2</sup> Lib. I. de verb. Dei. c. 4.

<sup>3</sup> Luk. 1. 28.

<sup>4</sup> Ibid. ver. 48.



and her SAVIOUR: Nor yet not I thinke, that shee hath no other thing to doe in heauen, then to heare euery idle mans suite, and busie her selfe in their errands; whiles requesting, whiles commanding her Sonne, whiles comming downe to kisse and make loue with Priestes, and whiles disputing and brawling with Deuils. In heauen shee is in eternall glory and ioy, neuer to bee interrupted with any worldly businesse; and there I leaue her with her blessed Sonne our SAVIOUR and hers in eternall felicitie.

As for *Prayer to Saints*; CHRIST (I am sure) hath commanded vs to Come all to him that are loaden with sinne, and hee will relieue vs:<sup>1</sup> and *Saint Paul* hath forbidden vs to worship Angels;<sup>2</sup> or to vse any such voluntary worship, that hath a shew of humilitie in that it spareth not the flesh. But what warrant wee haue to haue recourse vnto these *Dij Penates* or *Tutelares*, these Courtiers of God, I know not; I remit that to these Philosophicall Neoterike Diuines. It satisfieth mee to pray to GOD through CHRIST as I am commanded, which I am sure must be the safest way; and I am sure the safest way is the best way in points of saluation. But if the Romish Church hath coined new Articles of Faith, neuer heard of in the first 500. yeeres after CHRIST, I hope I shall neuer bee condemned for an Heretike, for not being a Nouelist. Such are the *priuate Masses*, where the Priest playeth the parth both of the Priest and of the people; And such are the *Amputation* of the one halfe of the Sacrament from the people; *The Transsubstantion*, *Elevation for Adoration*, and *Circumportation* in Procession of the Sacrament; *the workes of Supererogation*, rightly named *Thesaurus Ecclesiæ*; *the Baptising of Bels*, and a thousand other trickes: But aboue all, *the worshipping of Images*. If my faith bee weake in these, I confesse I had rather beleeeue too little then too much: And yet since I beleeeue as much as the Scriptures doe warrant, the Creeds doe perswade, and the ancient Councils decreed; I may well be a Schismatike from Rome, but I am sure I am no Heretike.

For *Reliques of Saints*; If I had any such that I were assured were members of their bodies, I would honourably bury them, and not giue them the reward of condemned mens members, which are onely ordeined to bee depriued of buriall: But for worshipping either them or *Images*, I must account it damnable Idolatrie.

I am no *Iconomachus*; I quarrell not the making of Images, either for publike decoration, or for mens priuate vses: But that they should bee worshipped, bee prayed to, or any holinesse attributed vnto them, was neuer knowne of the Ancients: And the Scriptures are so directly, vehemently and punctually against it, as I wonder what braine of man, or suggestion of Sathan durst offer it to Christians; and all must bee salued with nice Philosophicall distinctions: As, *Idolum nihil est*: and, They worshop (forsooth) the Images of things *in being*, and the Image of the trew God. But the Scripture forbiddeth to worship the Image of any thing that God created. It was not a *nihil* then that God forbade onely to be worshipped, neither was the brasen Serpent, nor the body of *Moses* a

<sup>1</sup> Matt. 11. 28.

<sup>2</sup> Coloss. 2. 8, 23.

*nihil*; and yet the one was destroyed, and the other hidden for eschewing of Idolatrie. Yea, the Image of GOD himselfe is not onely expresly forbidden to bee worshipped, but euen to bee made. The reason is giuen, That no eye euer saw GOD; and how can we paint his face, when *Moses* (the man that euer was most familiar with GOD) neuer saw but his backe parts? Surely, since he cannot be drawn to the *viue*, it is a thankelesse labour to marre it with a false representation; which no Prince, nor scarce any other man will bee contented with in their owne pictures. Let them therefore that maintaine this doctrine, answere it to CHRIST at the latter day, when he shall accuse them of Idolatrie; And then I doubt if hee will bee payed with such nice sophisticall Distinctions.

But CHRISTs Crosse must haue a particular priuiledge (say they) and bee worshipped *ratione contactus*. But first wee must know what kinde of touching of CHRISTs body drew a vertue from it; whether euery touching, or onely touching by faith? That euery touching of his body drew not vertue from it, is more than manifest. When the woman<sup>1</sup> in the bloody fluxe touched him, she was healed of her faith: But *Peter* then told him that a crowd and throng of many people then touched him; and yet none of them receiued any benefite or vertue from him. *Iudas* touched him many and many a time, besides his last kisse; so did the villaines that buffeted and crucified him; and yet I may safely pronounce them accursed, that would bestow any worship vpon their reliques: yea wee cannot denie but the land of *Canaan* it selfe (whereupon our Lord did dayly tread) is so visibly accursed, beeing gouerned by faithlesse *Turkes*, full of innumerable sects of hereticall Christians, and the very fertilitie thereof so farre degenerated into a pitifull sterilitie, as hee must bee accursed that accounteth it blessed. Nay, when a certaine woman<sup>2</sup> blessed the belly that bare CHRIST, and the breastes that gaue him sucke; Nay, rather (saith hee) *Blessed are those that heare the Word of God, and keepe it*. Except then they could first prooue that CHRIST had resolved to blesse that tree of the Crosse whereupon hee was nailed; they can neuer proue that his touching it could giue it any vertue. And put the case it had a vertue of doing miracles, as *Peters* shadow had; yet doeth it not follow, that it is lawful to worship it, which *Peter* would neuer accept of. Surely the Prophets that in so many places curse those that worship Images, that haue eyes and see not, that haue eares and heare not, would much more haue cursed them that worship a piece of a sticke, that hath not so much as any resemblance or representation of eyes or eares.

As for Purgatorie and all the trash<sup>3</sup> depending thereupon, it is not worth the talking of; *Bellarmino* cannot finde any ground for it in all the Scriptures. Onely I would pray him to tell me; If that faire greene Meadow that is in Purgatorie,<sup>4</sup> haue a brooke running thorow it; that in case I come there, I may haue hawking vpon it. But as for me; I am sure there is a Heauen and a Hell, *præmium &*

<sup>1</sup> Luke 8.

<sup>2</sup> Luk. 11. 28.

<sup>3</sup> Iubilees, Indulgences, satisfactions for the dead, &c.

<sup>4</sup> Lib. 2 de Purgat. cap. 7.



*pæna*, for the Elect and reprobate: How many other roomes there be, I am not on God his counsell. *Multæ sunt mansiones in domo Patris mei*,<sup>1</sup> saith CHRIST, who is the trew Purgatorie for our sinnes: But how many chambers and anti-chambers the diuell hath, they can best tell that goe to him: But in case there were more places for soules to goe to then we know of, yet let vs content vs with that which in his Word he hath reuealed vnto vs, and not inquire further into his secrets. Heauen and Hell are there reuealed to be the eternall home of all mankinde: let vs indeauour to winne the one and eschew the other; and there is an end.

Now in all this discourse haue I yet left out the maine Article of the Romish faith; and that is the *Head of the Church* or *Peters Primacie*; for who denieth this, denieth *fidem Catholicam*, saith *Bellarmino*. That Bishops ought to be in the Church, I euer maintained it, as an Apostolique institution, and so the ordinance of God; contrary to the *Puritanes*, and likewise to *Bellarmino*;<sup>2</sup> who denies that Bishops haue their Iurisdiction immediatly from God (But it is no wonder he takes the *Puritanes* part, since *Iesuits* are nothing but *Puritan-papists*.) And as I euer maintained the state of Bishops, and the Ecclesiasticall Hierarchie for order sake; so was I euer an enemy to the confused Anarchie or paritie of the *Puritanes*, as well appeareth in my ΒΑΣΙΛΙΚΟΝ ΔΩΡΟΝ. Heauen is gouerned by order, and all the good Angels there; nay, Hell it selfe could not subsist without some order; And the very deuils are diuided into Legions, and haue their chiefetaines: how can any societie then vpon earth, subsist without order and degrees? And therefore I cannot enough wonder with what brassen face this Answerer could say, *That I was a Puritane in Scotland, and an enemy to Protestants*.<sup>3</sup> I that was persecuted by *Puritanes* there, not from my birth onely, but euen since foure moneths before my birth? I that in the yeere of God 84. erected Bishops, and depressed all their popular Paritie, I then being not 18. yeeres of aage? I that in my said Booke to my Sonne, doe speake tenne times more bitterly of them nor of the Papists; hauing in my second Edition thereof, affixed a long Apologetike Preface, onely in *odium Puritanorum*? and I that for the space of sixe yeeres before my comming into England, laboured nothing so much as to depresse their Paritie, and re-erect Bishops againe? Nay, if the dayly Commentaries of my life and actions in Scotland, were written (as *Iulius Cæsars* were) there would scarcely a moneth passe in all my life, since my entring into the 13. yeere of my aage, wherein some accident or other would not conuince the Cardinall of a Lye in this point. And surely I giue a faire commendation to the *Puritanes* in that place of my booke, Where I affirme that I haue found greater honestie with the highland and border theeues, then with that sort of people. But leauing him to his owne impudence, I returne to my purpose.

Of *Bishops* and Church Hierarchie I very well allowe (as I said before) and likewise of Ranks and Degrees amongst *Bishops*. *Patriarches* (I know) were in the time of the Primitiue Church, and I likewise reuerence that Institution for order

<sup>1</sup> Iohn 14.<sup>2</sup> Bell. lib. 4. de Rom. Pont. cap. 25.<sup>3</sup> Page 98.

sake: and amongst them was a contention for the first place. And for my selfe (if that were yet the question) I would with all my heart giue my consent that the *Bishop of Rome* should haue the first Seate: I being a westerne King would goe with the *Patriarch* of the West. And for his temporall Principallitie ouer the Signory of *Rome*, I doe not quarrell it neither; let him in God his Name be *Primus Episcopus inter omnes Episcopos*, and *Princeps Episcoporum*; so it be no otherwise but as *Peter* was *Princeps Apostolorum*. But as I well allow of the Hierarchie of the Church for distinction of orders (for so I vnderstand it) so I vtterly deny that there is an earthly *Monarch* thereof, whose word must be a Law, and who cannot erre in his Sentence, by an infallibilitie of Spirit. Because earthly Kingdomes must haue earthly *Monarches*; it doeth not follow, that the Church must haue a visible *Monarch* too: for the world hath not ONE earthly temporall *Monarch*. CHRIST is his Churches *Monarch*, and the holy Ghost his Deputie: *Reges gentium dominantur eorum, vos autem non sic.*<sup>1</sup> CHRIST did not promise before his ascension, to leaue *Peter* with them to direct and instruct them in all things; but he promised to send the holy Ghost vnto them for that end.<sup>2</sup>

And as for these two before cited places, whereby *Bellarmino* maketh the Pope to triumph ouer Kings: I meane *Pasce oues*, and *Tibi dabo claues*:<sup>3</sup> the Cardinall knowes well enough, that the same words of *Tibi dabo*, are in another place spoken by *Christ* in the plurall number. And he likewise knowes what reason the Ancients doe giue, why *Christ* bade *Peter pascere oues*: and also what a cloude of witnesses there is, both of Ancients, and euen of late Popish writers, yea diuers Cardinals, that do all agree that both these speeches vsed to *Peter*, were meant to all the Apostles represented in his person: Otherwise how could *Paul*<sup>4</sup> direct the Church of *Corinth* to excommunicate the incestuous person *cum spiritu suo*, whereas he should then haue sayd, *cum spiritu Petri*? And how could all the Apostles haue otherwise vsed all their censures, onely in *Christ*s Name, and neuer a word of his Vicar? *Peter* (wee reade) did in all the Apostles meetings sit amongst them as one of their number: And when chosen men were sent to *Antiochia* from that great Apostolike Councel at *Ierusalem*<sup>5</sup> (*Acts* 15.) The text saith, It seemed good to the Apostles and Elders with the whole Church, to send chosen men, but no mention made of the Head thereof; and so in their Letters no mention is made of *Peter*, but onely of the Apostles, Elders and Brethren. And it is a wonder, why *Paul* rebuketh the Church of *Corinth* for making exception of Persons, because some followed *Paul*, some *Apollos*, some *Cephas*,<sup>6</sup> if *Peter* was their visible Head! for then those that followed not *Peter* or *Cephas*, renounced the Catholike faith. But it appeareth well that *Paul* knew little of our new doctrine, since he handleth *Peter* so rudely, as he not onely compareth but preferreth himselfe vnto him.<sup>7</sup> But our Cardinall proues *Peters* superioritie, by *Paul*s going to visite him.<sup>8</sup> In-

<sup>1</sup> Luke 22. 25.<sup>4</sup> 1. Cor. 5. 4.<sup>7</sup> Galat. 2.<sup>2</sup> Iohn 14. 26.<sup>5</sup> Act. 15. 22, 23.<sup>8</sup> Galat. 1. 18.<sup>3</sup> Matth. 18. 18.<sup>6</sup> 1. Cor. 1. 12.



deed *Paul* saith, hee went to *Ierusalem* to visite *Peter*, and conferre with him; but he should haue added, and to kisse his feet.

To conclude then, The trewth is that *Peter* was both in aage, and in the time of *CHRISTS* calling him, one of the first of the Apostles; In order the principall of the first twelue, and one of the three whom *CHRIST* for order sake preferred to all the rest. And no further did the Bishop of *Rome* claime for three hundred yeeeres after *CHRIST*: Subiect they were to the generall Councils, and euen but of late did the Councell of *Constance* depose three Popes, and set vp the fourth. And vntill *Phocas* dayes (that murthered his master) were they subiect to Emperours. But how they are now come to be *Christs* Vicars, nay, Gods on earth, triple-crowned, Kings of heauen, earth and hell, Iudges of all the world, and none to iudge them; Heads of the faith, Absolute deciders of all Controuersies by the infallibility of their spirit, hauing all power both Spirituall and Temporall in their hands; the high Bishops, Monarches of the whole earth, Superiours to all Emperours and Kings; yea, Supreme Vice-gods, who whether they will or not cannot erre: how they are now come (I say) to the toppe of greatnesse, I know not: but sure I am, Wee that are *KINGS* haue greatest neede to looke vnto it. As for me, *Paul* and *Peter* I know, but these men I know not: And yet to doubt of this, is to denie the Catholique faith; Nay, the world it selfe must be turned vpside downe, and the order of Nature inuerted (making the left hand to haue the place before the Right, and the last named to bee the first in honour) that this primacie may bee maintained.<sup>1</sup>

Thus haue I now made a free Confession of my Faith: And (I hope) I haue fully cleared my selfe from being an Apostate; and as farre from being an Heretike, as one may bee that beleeueth the Scriptures, and the three Creedes, and acknowledgeth the foure first generall Councils. If I bee loath to beleeuue too much, especially of Nouelties, men of greater knowledge may well pitie my weakenesse; but I am sure none will condemne me for an Heretike, saue such as make the Pope their God; and thinke him such a speaking Scripture, as they can define Heresie no otherwise, but to bee whatsoever Opinion is maintained against the Popes definition of faith. And I will sincerely promise, that when euer any point of the Religion I professe, shalbe proued to be new, and not Ancient, Catholike, and Apostolike (I meane for matter of Faith) I will as soone renounce it; closing vp this head with the *Maxime* of *Vincentius Lirinensis*,<sup>2</sup> that I will neuer refuse to imbrace any opinion in Diuinity necessary to saluation, which the whole Catholike Church With an vnanime consent, haue constantly taught and beleeued euen from the Apostles dayes, for the space of many aages thereafter without any interruption. But in the Cardinals opinion, I haue shewed my selfe an Heretike (I am sure) in playing with the name of *Babylon*, and the Towne vpon *seuen hilles*; as if I would insinuate *Rome* at this present to be spiritually *Babylon*. And yet that *Rome* is called *Babylon*, both in *Saint Peters* Epistle,<sup>3</sup> and in the

<sup>1</sup> Bellar. de Rom. Pont. li. 1. cap. 17.

<sup>2</sup> Libello aduersus hæreses.

<sup>3</sup> 1. Pet. 5. 13.

*Apocalyps*, our Answerer freely confesseth. As for the definition of the *Antichrist*, I will not vrge so obscure a point, as a matter of Faith to bee necessarily beleueed of all Christians; but what I thinke herein, I will simply declare.

That there must be an *Antichrist*, and in his time a generall Defection; we all agree. But the *Time*, *Seat*, and *Person* of this *Antichrist*, are the chiefe Questions whereupon wee differ: and for that we must search the Scriptures for our resolution. As for my opinion; I thinke *S. Paul* in the 2. to the *Thessalonians*<sup>1</sup> doeth vtter more clearly that which *Saint Iohn* speaketh more mystically of the *Antichrist*.

First, that in that place hee meaneth the *Antichrist*, it is plaine, since hee saith, *There must bee first a Defection*; and that in the *Antichrists* time onely that eclipse of Defection must fall vpon the Church,<sup>2</sup> all the *Romish Catholikes* are strong enough: otherwise their Church must be daily subiect to erre, which is cleane contrary to their maine doctrine. Then describing him (hee saith) that *The man of Sinne, Filius perditionis, shall exalt himselfe aboue all that is called God*.<sup>3</sup> But who these be whom of the *Psalmist*<sup>4</sup> saith *Dixi vos Dij estis*, *Bellarmino* can tell. In old Diuinitie it was wont to bee *Kings*; *Bellarmino* will adde *Churchmen*; Let it bee both. It is well enough knowen, who now exalteth himselfe aboue both the swords.

And after that *S. Paul* hath thus described the *Person*, he next describeth the *Seat*, and telleth that *He shall sit in the Temple of God*,<sup>5</sup> that is, the bosome of the Church; yea, in the very heart thereof. Now where this Apostolike Seat is, I leaue to bee guessed: And likewise who it is that sitting there, sheweth himselfe to be God; pardoning sinnes, redeeming soules, and defining Faith, controlling and iudging all men, and to be iudged of none.

Anent the *Time*, *S. Paul* is plainest of all: For hee calleth the *Thessalonians* to memorie, *That when hee was with them, hee told them these things*; <sup>6</sup> and therefore *they know* (saith hee) *what the impediment was, and who did withhold that the man of Sinne was not reuealed*,<sup>7</sup> although *the mysterie of iniquitie was already working*.<sup>8</sup> That the *Romane Emperours* in *Saint Pauls* time needed no reuealing to the Christians to bee men of Sinne or sinfull men, no childe doubteth: but the reuelation hee speaketh of was a *mysterie*, a *secret*; It should therefore seeme that hee durst not publish in his Epistle what that impediment was. It may be he meant by the translating of the Seat of the *Romane Empire*, and that the translation thereof should leaue a rume for the man of Sinne to sit downe in. And that he meant not *that man of Sinne* of these *Ethnicke Emperours* in his time, his introduction to this discourse maketh it more then manifest. For he saith (fearing they should be deceiued, thinking the day of the Lords second comming to bee at hand) he hath therefore thought good to forewarne them that this generall Defection must first come: Whereby it well appeareth that hee could not meane

<sup>1</sup> 2. Thes. 2.<sup>2</sup> Verse 3.<sup>3</sup> Verse 3, 4.<sup>4</sup> Psal. 82. 6.<sup>5</sup> 2. Thess. 2. 4.<sup>6</sup> Verse 5.<sup>7</sup> Verse 6.<sup>8</sup> Verse 7.



by the present time but by a future, and that a good long time; otherwise he proued ill his argument, that the Lords comming was not at hand. Neither can the forme of the Destruction of this man of *Sinne* agree with that maner of spoile, that the *Gothes* and *Vandals* made of *Ethnick*<sup>1</sup> *Rome*: For our Apostle saith, *That this wicked man shall bee consumed by the Spirit of the Lords mouth, and abolished by his comming*.<sup>2</sup> Now I would thinke that the word of God and the Preaching thereof, should be meant *by the Spirit of the Lords mouth*,<sup>3</sup> which should peece and peece consume and diminish the power of that man of *Sinne*, till the brightnes of the Lords second comming should vtterly abolish him. And by his expressing the meanes of his working, he doeth likewise (in my opinion) explane his meaning very much: For he saith, *It shall be by a strong delusion, by lying wonders, &c.*<sup>4</sup> Well, what Church it is that vanteth them of their innumerable miracles, and yet most of them contrary to their owne doctrine; *Bellarmino* can best tell you with his hungry Mare, that turned her taile to her prouender and kneeled to the Sacrament: And yet (I am sure) he will be ashamed to say, that the holy Sacrament is ordained to be worshipped by *Oues & Boues, & cætera pecora campi*.<sup>5</sup>

Thus haue I prooued out of *S. Paul* now, that the time of the Antichrists coming, and the generall Defection was not to be till long after the time that he wrote in; That his Seat was to be in the Temple and Church of God; and, That his Action (which can best point at his Person) should be to *Exalt himselfe aboue all that were called Gods*. *S. Iohn* indeed doth more amply, though mystically describe this Antichrist, which vnder the figure of a monstrous Beast, with seuen heads and ten hornes, he sets forth in the xiiij. chap. and then interpreteth in the xvij. where hee calles her a *Whore sitting vpon many waters*,<sup>6</sup> and *riding vpon the sayd monstrous Beast*;<sup>7</sup> concluding that chapter with calling that Woman, *that great City which reigneth ouer the Kings of the earth*.<sup>8</sup> And both in that Chapter, and in the beginning of the next he calles that great Citie, *Babylon*.<sup>9</sup>

So as to continue herein my formerly purposed Methode, of the Time, Seat, and Person of Antichrist; this place doth clearely and vndenyably declare that *Rome* is, or shalbe the Seat of that Antichrist. For first, no Papist now denieth that by *Babylon* here *Rome* is directly meant; and that this Woman is the Antichrist, doeth clearely appeare by the time of his working (described by 42. moneths in the xiiij. Chap.<sup>10</sup>) which doeth iustly agree with that three yeeres and a halfe time, which all the Papists giue to the Reigne of Antichrist. Besides that, the Beast it selfe with seuen heads and tenne hornes, hauing one of her heads wounded and healed againe, is described iust alike in the xiiij. and xvij. Chap. being in the former prooued to be the *Antichrist* by the time of her reigne; and in the latter *Rome* by the name of *Babylon*, by the confession of all the Papists; So as one point is now cleare, that *Rome* is the *Seat* of the *Antichrist*.

<sup>1</sup> For so doeth Tortus call Rome when it was spoiled by them, though it was Christian many yeres before.

<sup>2</sup> Verse 8.

<sup>3</sup> Verse 8, 9.

<sup>4</sup> Bellar. lib. 3. de Eucharist. cap. 8.

<sup>5</sup> Reuel. 17. v. 1.

<sup>6</sup> Vers. 3.

<sup>7</sup> Vers. 18.

<sup>8</sup> Vers. 5.

<sup>9</sup> Cap. 18. v. 2.

<sup>10</sup> Vers. 5.

Neither will that place in the eleuenth Chapter serue to shift off this point, and proue the *Antichrists Seat* to bee in *Ierusalem*; where it is saide; *That the Corpses of the Witnesses shall lie in the great City, spiritually Sodome and Egypt*,<sup>1</sup> where our Lord also was crucified. For the word *spiritually* is applied both to *Sodome, Egypt* and *Ierusalem* in that place; And when hee hath named *Sodome* and *Egypt*, hee doeth not subioyne *Ierusalem* with a single *vbi*; but with an *vbi &*, as if hee would say; and this *Antichrists* abomination shall bee so great, as his Seate shall bee as full of Spirituall whoredomes and Idolatries, as *Sodome* and *Egypt* was; nay, and so bloody in the persecution of the Saints, as our Lord shall be crucified againe in his members. And who hath so meanelly read the Scriptures (if he haue euer read them at all) that knoweth it not to be a common phrase in them, to call CHRIST persecuted and slaine, when his Saints are so vsed? So did CHRIST say,<sup>2</sup> speaking of the latter day; and in the same style did hee speake to *S. Paul* at his conuersion.<sup>3</sup> And that *Babylon*, or *Rome* (since *Bellarmino* is contented it bee so called) is that great Citie where our Lord was crucified, the last verse of the xvij. Chap. doeth also clearely proue it: For there it is said, *That in that City was found the blood of the Prophets, and of the Saints, and of all that were slaine vpon the earth*; <sup>4</sup> and I hope CHRIST was one of them that were slaine vpon the earth. And besides that it may well bee said that hee was slaine in that great Citie *Babylon*, since by the *Romane* authoritie hee was put to death, vnder a *Romane* Iudge, and for a *Romane* quarrell: for he could not be a friend to *Cæsar*, that was not his enemie.

This point now being cleared of the *Antichrists Seate*, as I haue already sayd; we are next to find out the *Time* when the *Antichrist* shall reigne, if it be not already come. In the xiiij. Chapter *S. Iohn* saith,<sup>5</sup> that this Beast with the seuen heads and tenne hornes, *had one of his heads wounded and healed againe*; <sup>6</sup> and interpreting that in the xvij. he saith, that *these seuen heads are also seuen Kings, whereof fiue are fallen, one is, and an other is not yet come, and when hee commeth hee shall continue a short space. And the Beast that was and is not, is the eight, and yet one of the seuen*.<sup>7</sup> By which Beast hee meaneth the *Antichrist*, who was not then come, I meane in the Apostles dayes, but was to come after. So as betweene the time of the Apostles and the ende of the worlde, must the *Time* of the *Antichrists* comming be; and with this the Papists doe also agree. Whereby it appeareth that *Babylon*, which is *Rome*, shall bee the *Seate* of the *Antichrist*; but not that *Ethnicke Rome* which was in the Apostles dayes (for *Iohn* himselfe professeth that hee is to write of nothing, but that which is to come after his time).<sup>8</sup> Nor yet that turning *Christian Rome* while shee was in the conuerting, which immediatly followed the Apostles time, glorious by the Martyrdome of so many godly Bishops: But that *Antichristian Rome*, when as the *Antichrist* shal set downe his seat there, after that by the working of that Mysterie of iniquitie,

<sup>1</sup> Chap. 11. 8.<sup>2</sup> Matt. 25. 40.<sup>3</sup> Acts 9. 4.<sup>4</sup> Reuel. 18. 24.<sup>5</sup> Cha. 13. 3.<sup>6</sup> Chap. 17. 10.<sup>7</sup> Verse 11.<sup>8</sup> Reuel. 1. 1. & chap. 4. 1.



*Christian Rome* shall become to be corrupted; and so that deadly wound, which the *Gothes* and *Vandales* gaue Rome, shall bee cured in that Head or King, the *Antichrist*, who thereafter shall arise and reigne for a long space.

But here it may bee obiected, that the *Antichrist* cannot reigne a long space; since S. *Iohn* saith in two or three sundry places, that the *Antichrist* shall worke but the space of three yeeres and a halfe. Surely who will but a little acquaint himselfe with the phrases and Stile of S. *Iohn* in his *Apocalyps*, shall finde that he doth ordinarily set downe *numerus certum pro incerto*.<sup>1</sup> So doeth hee in his twelue thousand of euery Tribe that will bee safe; so doeth he in his Armie of two hundred thousand, that were sent to kill the third part of the men;<sup>2</sup> and so doeth he in diuers other places. And therefore who will but remember that in all his Visions in the said Booke, hee directly imitates the fashions of the Prophet *Ezekiels*, *Daniels*, and *Zacharies* Visions (borrowing their phrases that prophecied before CHRIST, to vtter his Prophecies in, that was to speake of the last dayes) shall finde it very probable that in these three dayes and a halfe, hee imitated *Daniels* Weekes, accounting for his Weeke the time betweene CHRISTs first and second comming, and making *Antichrist* to triumph the halfe of that time or spirituall Weeke. For as to that literall interpretation (as all the Papists make it) of three yeeres and a halfe, and that time to fall out directly the very last dayes, saue fife and fourtie, before CHRIST his second comming, it is directly repugnant to the whole New TESTAMENT. For CHRIST saith, That in the latter dayes men shall be feasting, matrying, and at all such worldly businesse, when the last houre shall come in a clap vpon them; One shall be at the Mill; One vpon the top of the house,<sup>3</sup> and so fourth. CHRIST telleth a Parable of the fife foolish Virgins,<sup>4</sup> to shew the vnlooked-for comming of this houre, Nay, hee saith, the Sonne of man, nor the Angels in heauen know not this time. S. *Peter* biddeth vs WATCH AND PRAY, euer awaiting vpon that houre. And S. *Iohn* in this same *Apocalyps* doeth<sup>5</sup> twice tell vs, that CHRIST will come as a thiefe in the night; And so doeth CHRIST say in the *Euangel*.<sup>6</sup> Whereas if the *Antichrist* shall reigne three yeeres and a halfe before the Latter day, and that there shall bee but iust fourtie fife dayes of time after his destruction; then shall not the iust day and houre of the Latter day, bee vnknowne to them that shall be aliue in the world, at the time of *Antichrists* destruction. For first according to the Papists doctrine, all the world shall know him to be the *Antichrist*, both by the two Witnesses doctrine, and his sudden destruction; And consequently they cannot be ignorant, that the Latter day shall come iust fourtie fife dayes after: and so CHRIST shall not come as a thiefe, nor the world bee taken at vnawares; contrary to all the Scriptures before alleadged, and many more. And thus haue we proued Rome to be the Seat of the *Antichrist*, and the second halfe of that spirituall Weeke betweene the first and second comming of CHRIST, to be the time of his Reigne: For in the first halfe

<sup>1</sup> Chap. 7.<sup>2</sup> Chap. 9. 16, 18.<sup>3</sup> Matth. 24. 41.<sup>4</sup> Matth. 25.<sup>5</sup> Reuel. 3. 3. and 16. 15.<sup>6</sup> Matth. 24. 44.

thereof the mysterie of iniquitie began to worke; but the man of Sinne was not yet reuealed.

But who these Witnesses should be, is a great question. The generall conceit of the Papists is, that it must bee *Enoch* and *Elias*. And heerein is *Bellarmino* so strong, as hee thinketh him in a great error (if not an Heretike) that doubteth of it. But the vanitie of the Iewish fable I will in few words discouer.

The Cardinall,<sup>1</sup> in his booke of Controuersies, bringeth foure places of Scripture for probation of this idle dreame: two in the Old Testament, *Malachie* and *Ecclesiasticus*, and two in the New, CHRIST in *Matthew* (hee might haue added *Marke* too) and *Iohn* in the xj. of the *Apocalyps*. First, for the generall of all those places, I dare boldly affirme, That there is not a word in them, nor in all the rest of the Scriptures that saith, that either *Enoch* or *Elias* shall returne to fight against *Antichrist*, and shall bee slaine by him, nor any such like matter. Next as to euery place in particular, to begin with *Malachie*, I know not who can better interpret him then CHRIST, who twise in *Matthew*,<sup>2</sup> Chap. xj. and xvij. and once in *Marke*,<sup>3</sup> tels both the multitude, and his owne Disciples, that *Iohn Baptist* was that promised *Elias*. And heerein doeth *Bellarmino* deale most vnfaithfully with CHRIST: for in his demonstration that *Antichrist* is not yet come, because *Enoch* and *Elias* are not yet returned; hee, for his probation thereof, citeth these wordes of CHRIST in the xvij of *Matthew*, *Elias shall indeed come, and restore all things*; but omits his very next wordes interpreting the same, *That hee is already come*, in the person of *Iohn Baptist*. Nay, whereby hee taketh vpon him to answer *Biblianders* obiection, that CHRIST did by *Iohn* the *Baptist*, vnderstand the prophecie of *Elias* comming to be accomplished, he picketh out the words, *Qui habet aures, audiat*, in the xj. of *Matthew*, immediately following that purpose of *Elias*, making of them a great mysterie: and neuer taketh knowledge, that in the xvij. by himselfe before alleaged, CHRIST doeth interpret *Malachie* in the same maner without any subioyning of these words, *Qui habet aures, audiat*; adioyning shamelesly hereunto a foule Paraphrase of his owne, telling vs what CHRIST would haue said; nay, in my conscience, he meant what CHRIST should and ought to haue said, if he had bene a good Catholike, setting downe there a glosse of *Orleanse* that destroyes the Text. Thus ye see: how shamefully he abuseth CHRISTs words, who in three sundry places (as I haue said) interpreteth the second comming of *Elias* to be meant by *Iohn* the *Baptist*. He likewise cauils most dishonestly vpon that word *Venturus*. For CHRIST vseth that word but in the repeating their opinion: but interpreting it that he was already come in the person of *Iohn Baptist*. As if hee had said, The prophecie is indeed trew that *Elias* shall come; but I say vnto you, that *Elias iam venit*,<sup>4</sup> meaning of *Iohn Baptist*: and so he first repeats the words of the prophecie in the future time, as the *Prophet* spake them; and next sheweth them to be now accomplished in the person of *Iohn*, in

<sup>1</sup> Bellar. de Rom. Pont. lib. 3. cap. 6.

<sup>2</sup> Matt. 11. 14. and 17. 12.

<sup>3</sup> Mar. 9. 13.

<sup>4</sup> Matt. 17. 11.



the present time. Neither can these words of *Malachie* [*Dies magnus & horribilis* <sup>1</sup>] falsifie CHRIST'S Commentarie vpon him.<sup>2</sup> For if that day whereupon the Sauour of the world suffered, when the Sunne <sup>3</sup> was totally obscured from the sixt houre to the ninth; the Vaile of the Temple rent asunder from the top to the bottome; and the earth did quake, the stones were clouen, the graues did open themselues, and the dead arose: If that day (I say) was not a great and horrible day, I know not what to call a horrible day. Which day no doubt had destroyed the whole nation of the *Iewes* without exception by a iust *Anatheme*, if the said *Iohn* the fore-runner had not first conuerted many by the doctrine of *Repentance* and by *Baptisme*. But why should I presume any more to interpret *Malachie*,<sup>4</sup> since it is sufficient that CHRIST himselfe hath interpreted him so? And since *Ipse dixit*; nay, *ter dixit*, *per quem facta sunt omnia*, what mortall man dare interpret him otherwise; nay, directly contrary?

Now for that place of *Ecclesiasticus*; <sup>5</sup> as the son of *Sirach* onely borroweth it from *Malachie* (as appeareth by these words of his, of *conuerting the sonnes hearts to their fathers*, which are *Malachies* <sup>6</sup> own words) so doth CHRIST'S Commentary serue as well to interpret the one as the other: it being no shame for that mortal *Iesus*, to be commented & interpreted by the immortall and trew IESVS, though to the shame & confusion of the *Iesuits* heresies herein.

But *Enoch* must be ioyned to *Elias* in this errand, onely to beare vp the couples, as I thinke. For no place of Scripture speaketh of his returning againe, onely it is said in *Ecclesiasticus* <sup>7</sup> the 44. that *Enoch* pleased GOD, and was translated to *Paradise*, *vt daret Gentibus sapientiam*, or *pœnitentiam*; since they will haue it so. And what is this to say? marry that *Enoch* shall returne againe to this world, and fight against the *Antichrist*. A prettie large Comment indeed, but no right Commentary vpon that Text. When *Bellarmino* was talking of *Elias*; he insisted, That *Elias* must come to conuert the *Iewes* principally, *restituere tribus Iacob*. But when he speaketh here of *Enoch*, he must *dare Gentibus pœnitentiam*, and not a word of *Iewes*. Belike they shall come for sundry errands, and not both for one: Or like *Paul* and *Peter*, the one shall be Apostle for the *Iewes*, and the other for the *Gentiles*. What need such wilde racked Commentaries for such three wordes? Will not the sense stand well and clearely enough, that *Enoch* pleased GOD, and was translated to *Paradise*; that by the example of his reward, the Nations might repent and imitate his Holy footsteps? For what could more mightily perswade the Nations to repent; then by letting them see that holy Man carried quicke vp to Heauen, for reward of his vprightnesse; whereas all the rest of the people died and went to corruption? And where Scripture faileth, the

<sup>1</sup> Malach. 4. 5.

<sup>2</sup> Matth. 27.

<sup>4</sup> Mala. 4. 6.

<sup>5</sup> Eccclus. 48. 8.

<sup>6</sup> Mala. 4. 6.

<sup>7</sup> Eccclus. 44. 16.

<sup>3</sup> This obscuring of the Sunne was so extraordinary and fearefull, that Dionysius, onely led by the light of Nature and humane learning, cried out at the sight thereof, Aut Deus patitur, aut vices patientis dolet.

Cardinall must helpe himselfe with the Fathers, to prooue both that *Enoch* and *Elias* are yet aliue, and that they shall hereafter die; but with the like felicitie, as in his alledging of Scriptures; to vse his owne words of mee in his pamphlet:<sup>1</sup> For which purpose he citeth fīue Fathers; *Irenæus*, *Tertullian*, *Epiphanius*, *Hierome* and *Augustine*. Vpon this they all agree in deed, that *Enoch* and *Elias* are still aliue both, which no Christian (I hope) will denie: For *Abraham*, *Isaac*, and *Iacob* are all still aliue,<sup>2</sup> as CHRIST telleth vs; for God is *Deus viuientium, non mortuorum*. Much more then are *Enoch* and *Elias* aliue, who neuer tasted of death after the maner of other men. But as to the next point, that they should die hereafter, his first two witnesses,<sup>3</sup> *Irenæus* and *Tertullian* say the direct contrary: For *Irenæus* saith, that they shall remaine in *Paradise*, till the consummation, *conspicantes incorruptionem*. Now to remaine there till the consummation, and to see incorruption is directly contrary to their returning to the world againe and suffering of death. *Tertullian*<sup>4</sup> likewise agreeing hereunto, saith most clearly, That *Enoch* hath neuer tasted of death, *ut æternitatis candidatus*: now he is ill priuiledged with eternitie, if he must die againe. As for his places cited out of the other three Fathers, they all confirme that first point, That they are stil aliue; but that they must die againe, they make no mention.

But he speaking of the *Ancient Fathers*, let mee take this occasion to forewarne you concerning them: That though they mistake and vnderstand not rightly many mysteries in the *Apocalyps*, it is no wonder: For the booke thereof, was still sealed in their dayes. And though the *mysterie of iniquitie* was already working, yet was not the *man of Sinne* yet reuealed.<sup>5</sup> And it is a certaine rule in all darke prophecies; That they are neuer clearly vnderstood, till they be accomplished.

And thus hauing answered his two places, in the *Old Testament*, by his third in the *New Testament*, containing *Christs* owne words: which being *lucē clariora*, I need speake no more of them. I am now to speake of the fourth place of Scripture, which is in the xj. of the *Apocalyps*:<sup>6</sup> For the two Witnesses (forsooth) there mentioned, must be *Enoch* and *Elias*. But how this can stand with any point of Diuinitie or likelihood of reason, that these two glorified Bodies shall come downe out of heauen or Paradise, (make it what you will) preach, and fight against the *Antichrist*, bee slaine by him after many thousand yeeres exempted from the naturall course of death, rise againe the third day in imitation of CHRIST, and then (hauing wrought many wonders) to goe vp againe to Heauen, making an ordinary Poste betwixt Heauen and Earth: how this (I say) can agree either with Diuinitie or good Reason, I confesse it passeth my capacitie. And especially that they must be clad in Sackcloth, whose bodies (I hope) haue bene so long agone free from sinne, as I thinke they shall neede no more such maceration for sinne: For they must be now either in Heauen or *Paradise*: If in heauen,

<sup>1</sup> Pag. 27.<sup>2</sup> Matt. 22, 32.<sup>3</sup> Lib. 5.<sup>4</sup> Lib. cont. Iudæos. cap. 2.<sup>5</sup> 2. Thess. 2.<sup>6</sup> Reuelat. 11.



(as doubtlesse they are) their bodies must bee glorified; for no corruptible thing can enter there;<sup>1</sup> and consequently they can no more bee subiect to the sensible things of this world, especially to death: But if they be in earthly *Paradise*, we must first know where it is.

*Bellarmino*<sup>2</sup> indeed in his *Controuersies* is much troubled to finde out the place where *Paradise* is, and whether it bee in the earth, or in the ayre. But these are all vanities. The Scriptures tell vs, that *Paradise* and the garden of *Eden* therein, was a certaine place vpon the earth, which GOD chose out to set *Adam* into,<sup>3</sup> and hauing thereafter for his sinne banished him from the same, it is a blasphemie to thinke that any of *Adams* posteritie came euer there againe. For in *Adam* were all his posteritie accursed, and banished from the earthly *Paradise*: like as all the earth in generall, and *Paradise* in speciall were accursed in him; the second *Adam* hauing by grace, called a certaine number of them to bee Coheritours with him of the heauenly *Paradise* and *Ierusalem*. And doubtlesly, the earthly *Paradise* was defaced at the Flood, if not before: and so lost all that exquisite fertilitie and pleasantnesse, wherein it once surpassed all the rest of the earth. And that it should be lifted vp in the ayre, is like one of the dreames of the *Alcoran*. Surely no such miracle is mentioned in the Scriptures, and hath no ground but from the curious fancies of some boyling braines, who cannot be content, *Sapere ad sobrietatem*.<sup>4</sup>

In heauen then for certaine are *Enoch* and *Elias*: for *Enoch* (saith the Text) walked with GOD,<sup>5</sup> and was taken vp, and *Elias* was seene caried vp to heauen in a fierie chariot.<sup>6</sup> And that they who haue beene the In-dwellers of Heauen these many thousand yeeres, and are freed from the Lawes of mortalitie; that these glorious and incorruptible bodies (I say) shall come in the world againe, preach and work miracles, and fighting against the *Antichrist* be slaine by him, whom naturall death could not before take hold of: as it is a fabulous inuention, so is it quite contrary to the nature of such sanctified creatures. Especially I wonder, why *Enoch* should bee thought to bee one of these two Witnesses for CHRIST: For it was *Moses* and *Elias* that were with CHRIST, at the transfiguration; signifying the Law and the Prophets: which would be the fittest witnesses for conuincing of *Antichrist*. But why they haue exempted *Moses*, and put *Enochs* head in the yoake, I cannot conceiue. So as I haue too much laboured in the refuting of this foolish, and indeed childish fable; which I am so farre from beleeuing in any sort, as I protest in GODS presence, I cannot hold any learned Diuine (in our aage now) to be a Christian, that will beleue it; but worthy to bee ranked with the Scribes and Pharises, that raued and dreamed vpon the comming againe of *Elias*, though CHRIST told them the contrary. As for some of the Ancients that mistooke this matter, I doe not censure them so hardly; for the reason that I haue already alleaged concerning them.

<sup>1</sup> Reuel. 21. 27.

<sup>2</sup> Lib. de Grat. primi hominis.

<sup>3</sup> Gen. 2.

<sup>4</sup> Rom. 12. 3.

<sup>5</sup> Gen. 5. 24.

<sup>6</sup> 2. King. 2. 10, 11.

And hauing now refuted that idle fable; that those two Witnesses were *Enoch* and *Elias*: it falleth mee next to guesse, what in my opinion should bee meant by them. I confesse, it is farre easier to refute such a groundlesse fable as this is, contrary to all grounds of Diuinitie and Reason; then to set downe a trew interpretation of so high and darke a Mistery. And therefore as I will not presume to bind any other man to my opinion herein, if his owne reason leade him not thereunto; so shall I propone such probable coniectures, as (I hope) shall be free from Heresie, or vnlawfull curiositie.

In two diuers fashions may the Mysterie of these Witnesses be lawfully and probably interpreted, in my opinion. Whereof the one is, that by these two Witnesses should be meant the Old and New Testaments: For as the *Antichrist* cannot chuse but bee an aduersary to the Word of GOD aboue all things; so will hee omit no endeuour to disgrace, corrupt, suppress and destroy the same. And now whether this Booke of the two Testaments, or two Witnesses of CHRIST, haue suffered any violence by the *Babylonian Monarchie* or not; I need say nothing; *Res ipsa loquitur*. I will not weary you with recounting those Common Places vsed for disgracing it: as calling it a *Nose of waxe*, a *dead Letter*, a *leaden Rule*, a hundreth such like phrases of reproch. But how farre the Traditions of men, and authoritie of the Church are preferred to these Witnesses, doeth sufficiently appeare in the *Babylonian* doctrine. And if there were no more but that little booke, with that prettie Inscription, *De l'Insuffisance de l'Ecriture Sainte*,<sup>1</sup> it is enough to proue it.

And as to the corrupting thereof; the corruptions of the old Latine translation must not be corrected, though it bid *euertere domum* in stead of *euerrere*, for seeking of a penie;<sup>2</sup> and though it say of *Iohn*, *Sic eum volo manere donec veniam*,<sup>3</sup> in place of *Si*, though it be knowne a plaine Lie, and that the very next words of the Text disproue the same. Nay, so farre must wee be from correcting it, as that the Vulgar Translation must be preferred by Catholikes, to the Bible in the owne Originall tongue. And it is a small corrupting of Scriptures to make all, or the most part of the *Apocrypha* of equall faith with the *Canonicall* Scriptures, contrary to the Fathers opinions and Decrees of ancient Councils? And what blasphemous corrupting of Scripture is it, to turne *Dominus* into *Domina* throughout the whole Psalmes? And thus our Ladies Psalter<sup>4</sup> was lately reprinted in *Paris*. Is not this to confound CHRISTs person with hers? And as for suppressing of the Scriptures; how many hundreth yeeres were the people kept in such blindenes, as these Witnesses were almost vnknowne? for the Layicks durst not, being forbidden, and the most part of the Cleargie, either would or could not meddle with them.

Thus were these two Witnesses of CHRIST, (whom of himselfe saith, *Scrutamini Scripturas, illæ enim testimonium perhibent de me*)<sup>5</sup> These<sup>6</sup> two Oliues bringing

<sup>1</sup> Cardinall Peron.

<sup>2</sup> Luke 15. 8.

<sup>3</sup> Iohn 21. 22, 23.

<sup>4</sup> Made by Boneuentura Doctor Seraphicus.

<sup>5</sup> Iohn 5. 39.

<sup>6</sup> Reuel. 11. 4.



peace to all the beleeuers, euen peace of Conscience: These <sup>1</sup> two Candlesticks standing in the sight of GOD, and giuing light to the Nations; represented by Candlesticks euen in the very order of the *Roman Masse*: <sup>2</sup> Thus were these two Witnesses (I say) disgraced, corrupted and suppressed (nay, so suppressed and silenced, as he was brent for an Heretike that durst presume to looke vpon them) kept close in a strange tongue, that they might not be vnderstooff, *Legends* and lying wonders supplying their places in the Pulpits. And so did their *Bodies lie in the streets of the great Citie, spirituall Sodome*, <sup>3</sup> for spiritual fornication which is idolatrie; *spirituall Egypt*, for bringing the Saints of God in bondage of humane traditions <sup>4</sup> [*Quare oneramini ritibus.*] So did *their bodies* (I say) *lie 3. dayes and a halfe*; <sup>5</sup> that is, the halfe of that spirituall Weeke betweene CHRIST his first and second comming; and as dead carkases indeed did the Scriptures then lye without a monument, being layed open to all contempt, cared for almost by none, vnderstood by as few; nay, no man durst call for them for feare of punishment, as I haue already said. And thus laying dead, as it were, without life or vigour (as the Law of GOD did till it was reuiued in *Iosias* time <sup>6</sup>) The *Inhabitants of the earth*, that is, wordly men *reioyced and sent gifts to other*, <sup>7</sup> for ioy that their fleshly libertie was now no more awed, nor curbed by that two edged sword, for they were now sure, that do what they would, their purse would procure them pardons from *Babylon*. *Omnia vænalia Romæ*; so as men needed no more to looke vp to heauen, but downe to their purses to finde Pardons. Nay, what needed any more suing to heauen, or taking it by violence and feruencie of zeale; when the Pardons came and offered themselues at euery mans doores? And diuers spirituall men vanted themselues, that *they neither vnderstood Old Testament nor New*.

Thus were these 2. *Witnesses* vsed in the second halfe of this *spiritual weeke*; who in the first halfe thereof *were clad in sackcloth*; <sup>8</sup> that is, preached repentance to all nations, for the space of 500. or 600. yeres after *Christ*: God making his *Word* or *Witnes* so triumph, riding vpon the *white horse* <sup>9</sup> in the time of the *Primitive Church*, as that they ouercame al that opposed themselues vnto it, beating downe euery high thing, as *Paul* <sup>10</sup> saith; excluding from heauen al that beleue not therein: as strongly with the spiritual fire thereof, conuincing the stif-necked pride of vnbeleeuers, as euer *Moses* or *Elias* did, by the plagues of *Egypt* and famine, conuince the rebellious *Egyptians* and stif-necked *Israelites*.

Neither shall it be enough to disgrace, corrupt and suppress them; but *Killed must they be* at the last. <sup>11</sup> To which purpose commeth forth <sup>12</sup> *Censura generalis, vt mucrone censorio iugulare eas possit*; and cutteth their throats indeed: For the author ordaineth al translations, but their owne to be burnt, which is

<sup>1</sup> Ibid.

<sup>2</sup> See *Expositio Missæ*, annexed to *Ordo Romanus*, set forth by G. Cassander.

<sup>3</sup> Verse 8.

<sup>4</sup> Coloss. 2. 20.

<sup>5</sup> Verse 8.

<sup>6</sup> 2. Chro. 34. 14.

<sup>7</sup> Verse 10.

<sup>8</sup> Verse 3.

<sup>9</sup> Reuel. 6. 2.

<sup>10</sup> 1. Cor. 10. 4.

<sup>11</sup> Reuel. 11. 7.

<sup>12</sup> Printed at Venice. Anno 1562.

yet commonly practised: nay he professeth, he commeth not to correct but to destroy them, controlling and calling euery place of Scripture *Heretical*, that disagreeeth from their Traditions (with almost as many foule words and railing epithetes, as the *Cardinal* bestoweth on my *Apologie*) not ruling, nor interpreting Scripture by Scripture, but making their Traditions to be such a touchstone for it, as he condemneth of *Heresie*, not onely those places of Scripture that he citeth, but layeth the same general condemnation vpon al other the like places where-soeuer they be written in the Scriptures. And yet (praised be God) we beginne now with our eyes, as our predecessors haue done in some aages before, to see these *Witnesses* rise againe,<sup>1</sup> and shine in their former glory: GOD, as it were, *setting them vp againe vpon their feete, and raising them to the Heauens* in a triumphall cloud of glory,<sup>2</sup> like *Elias* his fiery chariot. Which exalting of the Gospel againe, hath bred such an *earthquake*<sup>3</sup> and alteration amongst many Nations: as a *tenth part*, or a good portion of these that were in subiection to *that Great Citie*, to wit, *Babylon*, are fallen from her; *seuen thousand*, that is, many thousands *hauing bene killed* vpon the occasion of that great alteration; and many other conuerted to the feare of GOD, *and giuing glory to the God of heauen*. This now is one of the wayes, by which (I thinke) this place of Scripture may be lawfully and probably interpreted.

The other is more common, and seemeth more literally to agree with the Text. And this is to interpret, not the *word of God*, but the *Preachers thereof* to bee meant by these *Witnesses*. Few they were that first began to reueale the man of Sinne, and discouer his corruptions; and therefore well described by the number of *two Witnesses*:<sup>4</sup> *Nam in ore duorum aut trium testium stabit omne verbum*. And in no greater number were they that began this worke, then the greatnesse of the errand did necessarily require. They *prophesied in sackcloth*,<sup>5</sup> for they preached repentance. That diuers of them were put to cruell deaths, is notorious to the world: And likewise that (in the persons of their Successours in doctrine)<sup>6</sup> *they rose againe*; and that in such power and efficacie, as is more then miraculous: For where it is accounted in the Scriptures a miraculous worke of GOD wrought by his holy Spirit,<sup>7</sup> When the Apostle *Saint Peter*, conuerted about three thousand in one day;<sup>8</sup> these *Witnesses* I speak of, by the force of the same Spirit, conuerted many mightie Nations in few yeeres, who still continue praising GOD, that hee hath deliuered vs from the tyrannie of Antichrist, that reigneth ouer that great Citie; and with a full crie proclaiming, *Goe out of her my people, lest yee bee partaker of her sinnes and of her plagues*.<sup>9</sup> Let therefore these Miracle-mongers that surfeit the world, and raise the price of paper daily, with setting foorth old, though new gilded Miracles and Legends of lies; Let such (I say) consider of this great and wonderfull Miracle indeed, and to their shame, compare it with their paultry wares. Thus hauing in two fashions deliuered my coniecture, what I take to bee

<sup>1</sup> Verse 11.<sup>2</sup> 12.<sup>3</sup> 13.<sup>4</sup> Deut. 19. 15.<sup>5</sup> Reuel. 11. 3.<sup>6</sup> Sanguis Martyrum est semen Ecclesiae.<sup>7</sup> Verse 11.<sup>8</sup> Actes 2. 41.<sup>9</sup> Reuel. 18. 4.



meant by these two *Witnesses* in the xj. of the *Apocalyps*, there beeing no great difference betweene them: In the one, taking it to bee the Word of GOD it selfe; In the other, the Word of God too, but in the mouthes of his Preachers: It resteth now that I come to the *third* point of the description of *Antichrist*; which is anent his *Person*.

That by the Whore of Babylon that rideth vpon the Beast, is meant a Seate of an Empire, and a successiue number of men sitting thereupon, and not any one man; doeth well appeare by the forme of the description of the *Antichrist* thorow-out all the said Booke. For in the last verse <sup>1</sup> of the xvij. Chapter, the *Woman* is expounded to bee, *That great Citie that reigneth ouer the Kings of the earth*; which cannot signifie the onely Person of one man, but a successiue number of men (as I haue already said) whose Seat <sup>2</sup> that great Citie must be: like as in the same Chapter, *The seuen heads of the Beast* are two wayes expounded. First, they are called *seuen Hills*, which is plaine; and next they are called *seuen Kings*, which cannot bee meant by the Kings *that shall giue their power to the Beast*,<sup>3</sup> and bee subiect vnto her, which is immediatly after expressed by *the tenne hornes*:<sup>4</sup> But rather appeareth to be those seuen formes of gouernment of that Seat: fiae of which had already beene and fallen; As *Kings, Consuls, Dictators, Decemuires* and *Tribuni militum*. The sixt was in the time of *S. Iohn* his writing of this booke, which was the *Gouernement of the Emperour*. The seuenth which was not yet come, and was to last but for a short space, was the *Ecclesiasticall gouernment by Bishops*,<sup>5</sup> which was not come vpon the translation of the Empire from *Rome* to *Constantinople*; though their gouernment was in a manner substitute to the Emperours: For though that forme of Gouernement lasted about the space of 276. yeeres; yet was it but short in comparison of the long time of the reigne of the *Antichrist* (not yet expired) which succeeded immediatly thereunto. And the eight, which is the *Beast that was and is not, and is to goe to perdition*,<sup>6</sup> is the ANTI-CHRIST: the eight forme of Gouernment indeed by his absolutenesse, and yet the seuenth, because hee seemeth but to succeed to the Bishop in an Ecclesiasticall forme of Gouernement, though by his greatnesse hee shall make *Babylons* Empire in glory, like to that magnificence wherein that great Citie triumphed, when it most flourished: which in *Saint Iohns* time was much decayed, by the factions of the great men, the mutinies of the armies, and the vnworthines of the Emperours. And so that flourishing state of that great Citie or Beast, which it was in before *S. Iohns* time, and being much <sup>7</sup> decayed was but *in a maner* in his time, should be restored vnto it againe by *Antichrist*: who as he ascendeth out of the *bottomless pit*, so must he goe to *Destruction*. And likewise by that great lamentation that is

<sup>1</sup> Cap. xvij. Verse 18.

<sup>2</sup> Verse 9.

<sup>3</sup> Verse 13.

<sup>4</sup> Verse 12.

<sup>5</sup> From the time of Constantine the Great, his remouing of the Empire from Rome to Constantinople, till the time of Bonifacius the third, to wit, about 276 yeeres.

<sup>6</sup> Verse 11.

<sup>7</sup> Not in respect of the extent, and limites of the Empire: but in regard of the gouernment thereof, and glory of the Citie.

made for the destruction of *Babylon* in the eighteenth Chapter, both by the Kings, and by the Merchants of the earth; where it is thrice repeated for aggrauating the pitie of her desolation, that *That great Citie fell in an houre*: By that great lamentation (I say) it well appeareth, That the raigne of *Antichrist*<sup>1</sup> must continue longer then three yeeres and a halfe, or any one mans time: For the Kings that had committed fornication<sup>2</sup> with her, & *in delicijs vixerant*, behoued to haue had a longer time for contracting of that great acquaintance: And the *Merchants of the earth*<sup>3</sup> set her forth and describe her at great length, as the very staple of all their riches; which could not be so soone gathered as in one mans time. And to conclude now this description of the *Antichrist*; I will set downe vnto you all that is spoken of him in the *Apocalyps* in a short methode, for the further explaining of these three points that I haue already handled.

The *Antichrist* is foure times (in my opinion) described by *Iohn* in the *Apocalyps*, in foure sundry visions; and a short *Compendium* of him repeated againe in the xx. Chapter. He is first described by a *pale Horse*<sup>4</sup> in the vision of the Seales in the sixt Chapter: For after that CHRIST had triumphed vpon a *white Horse*<sup>5</sup> in the first Seale, by the propagation of the Gospel; and that the *red Horse*<sup>6</sup> in the second Seale, is as busie in persecution, as CHRIST is in ouercoming by the constancie of his Martyrs; and that famine and other plagues signified by the *blacke Horse*<sup>7</sup> in the third Seale, haue succeeded to these former persecutions: Then commeth forth the *Antichrist* vpon a *pale horse*<sup>8</sup> in the 4. Seale, hauing Death for his rider, and Hell for his conuoy; which rider fitted well his colour of palenesse: *and he had power giuen*<sup>9</sup> *him ouer the fourth part of the earth* (which is *Europe*) to kill with the sword, and vse great persecution; as *Ethnick Rome* did, figured by the *red horse*: and to kill with spirituall hunger or famine of the trew word of God; as the *black horse* did by corporal famine & with death, whereby spiritual death is meant. For the *Antichrist*, signified by this *pale horse*, shal afflict the Church both by persecution and temporal death; as also by alluring the Nations to idolatry, and so to spiritual death: and by the *beast of the earth* shall he procure their spiritual death; for he shall send out the *Locusts* (ouer whom he is King) mentioned in the 9. Chap. of this booke; and the 3. *frogs*, mentioned in the 16. of the same; for intising of al Kings and nations to drinke of the cup of her abominations. That that description now of *Antichrist* endeth there, it is more then plaine: for at the opening of the first Seale, the soules and blood of the murdered Saints cry for vengeance and hasting of iudgment;<sup>10</sup> which in the sixt Seale is granted vnto them by CHRISTs comming at the Latter day: signified by *heauens departing away, like a scroll when it is rolled*:<sup>11</sup> with a number of other sentences to the same purpose.

<sup>1</sup> Reuel. 18. Ver. 9. & 11.  
Ver. 10, 16, 19.

<sup>2</sup> Vers. 9.

<sup>3</sup> Verse 12.

<sup>4</sup> 1. Description of Anti-christ.

<sup>5</sup> Reuel. cap. 6.

<sup>6</sup> Verse 2.

<sup>7</sup> Verse 4.

<sup>8</sup> Verse 5.

<sup>9</sup> Verse 8.

<sup>10</sup> Or them, after other Translations, whereby is ioynly vnderstood the said pale horse together with his rider and conuoy, Death and Hell.

<sup>11</sup> Verse 9; verse 10; verse 12.



But because this might seeme a short and obscure description of the *Antichrist*, he describeth him much more largely and specifkely, especially in the vision of the *Trumpets*<sup>1</sup> in the 9. Chapter. For there he saith, at the blowing of the *first Trumpet*, Heresies being first spread abroad in three of the foure former blasts; to wit, in the first, third, and fourth blast (for I take temporall persecution to be onely signified by the second blast) he then *saw a starre fall from Heauen, to whom was giuen the key of the bottomles pit;*<sup>2</sup> *which being opened by him, with the smoke thereof came forth a number of Locusts;*<sup>3</sup> whom hee largely describeth, both by their craft & their strength; and then telleth the name of this their king, who brought them out of the bottomles pit, which is, *Destroyer.*<sup>4</sup> By this *starre fallen from heauen*, being signified, as I take it, some person of great dignitie in the Church, whose duetie being to giue light<sup>5</sup> to the world (as CHRIST saith) doth contrary thereunto fall away like *Lucifer*, and set vp a kingdome, by the sending forth of that noisome packe of craftie cruell vermine, described by *Locusts*: and so is the *Seat* of the *Antichrist* begun to be erected, whose *doctrine* is at length declared in the second *woe*, after the blast of the sixt *Trumpet*;<sup>6</sup> where it is said, *That the remnant of men which were not killed by the plagues,*<sup>7</sup> *repented not of the workes of their hands, that they should not worship diuels, and idols of gold, and of siluer & of brasse, and of stone, and of wood, which neither can see, heare, nor goe.* (As for *worshipping of diuels*; looke your great *Iesuited* doctour, *Vasques*:<sup>8</sup> and as for *all the rest*, it is the maine doctrine of the *Roman Church*.) And then it is subioyned in this Text, that they repented not of *their murther, their sorcerie, their fornications, nor their theft.*<sup>9</sup>

By *their murther*, their persecution is meant, and bloody massacres. For *their Sorcery* consider of their *Agnus Dei*, that will slocken fire; of the hallowed shirts, and diuers sorts of Reliques; and also of Prayers that will preserue men from the violence of shot, of fire, of sword, of thunder, and such like dangers; And iudge, if this be not very like to Sorcerie and incantation of charmes.

By *their Fornication* is meant both their spirituall fornication of Idolatry, and also their corporall fornication; which doth the more abound amongst them, as well by reason of the restraint of their Churchmen from marriage, as also because of the many Orders of idle Monastike liues amongst them, as well for men as women: And continuall experience prooueth, that idlenesse is euer the greatest spurre to lecherie. And they are guiltie of *Theft*, in stealing from GOD the titles and greatnes of power due to him, and bestowing it vpon their head, the *Antichrist*: As also by heaping vp their treasure with their iuggling wares and merchandise of the soules of men, by *Iubiles, Pardons, Reliques* and such like strong delusions.

That he endeth this description of *Antichrist* in the same ninth Chapter may likewise well appeare, by the Oath that that *Mightie Angell* sweareth<sup>10</sup> in the

<sup>1</sup> Reu. Chap. 9. Verse 1.

<sup>2</sup> Verse 2.

<sup>3</sup> Verse 3.

<sup>4</sup> Verse 11.

<sup>5</sup> Matth. 5. 14.

<sup>6</sup> Verse 13.

<sup>7</sup> Verse 20.

<sup>8</sup> Lib de Cultu Adoratio. lib. 3 disp. 1. cap. 5.

<sup>9</sup> Vers. 21.

<sup>10</sup> Cap. 10. ver. 6.

sixth verse of the tenth Chapter: And after the blast of the sixt *Trumpet*, that *time shall bee no more*, and that when the seuenth Angell <sup>1</sup> shall blow his *Trumpet*, *the myserie of GOD shalbe finished, as he had declared it to his seruants the Prophets*. Onely in the eleuenth Chapter he describeth the meanes whereby the *Antichrist*<sup>2</sup> was ouercome, whose raigne he had before described in the ix. Chapter; and telleth vs that the *two witnesses*,<sup>3</sup> after that they haue beene persecuted by the *Antichrist* shall in the end procure his destruction. And in case any should thinke, that the *Antichrist* is onely spoken of in the xj. Chapter, and that the Beast spoken of in the xiiij. and xvij. Chapters doth onely signifie *Ethnicke Rome*; there needeth no other refutation of that conceit, then to remember them, that the *Antichrist* is neuer named in all that xj. Chapter, but where he is called in the seuenth verse thereof *the Beast that commeth foorth of the bottomless pit*:<sup>4</sup> which by the description of the place he commeth out of, prooueth it to be the same Beast which hath the same originall in the xvij. Chapter, and in the very same words; so as it is euer but the same *Antichrist* repeated, and diuersly described in diuers visions.

Now in the xij. and xiiij. Chapters and so foorth till the xvij. he maketh a more large and ample propheticall description of the state of the Church, and reigne of the *Antichrist*: For in the xij. Chap. he figureth the Church by a *Woman* <sup>5</sup> flying from the *Dragon* (the Deuill) to the wilderness; And when the Dragon seeth hee cannot otherwise ouer-reach her, hee *speweth foorth waters like floods to carry her away*; <sup>6</sup> which signifieth many Nations, that were let loose to persecute and vex the Church. And in the xxij. Chapter,<sup>7</sup> out of that *Sea* of Nations that persecuted her, ariseth that *great Citie* (Queene of all the Nations, and head of that persecution) figured by a *Beast with seuen heads and tenne hornes*,<sup>8</sup> like a *Leopard*; <sup>9</sup> as well for the colour because it was full of spots, that is, defiled with corruptions; as also vsing a bastard forme of gouernement, in shew spirituall, but in deed temporall ouer the Kings of the earth; like the Leopard that is a bastard beast betwixt a Lion and a Parde: hauing *feete like a Beare*, to signifie his great strength, and *the mouth of a Lion*, to shew his rauinous and cruell disposition.

This Beast who had *his power from the Dragon*, and had gotten a *deadly wound in one of his heads*,<sup>10</sup> or formes of gouernment (by the *Goths and Vandals*) and yet *was healed againe*; *opened his mouth to blasphemies*,<sup>11</sup> and *made warre against the Saints*:<sup>12</sup> nay, all the world must worship him; which worship *Ethnicke Rome* neuer craued of any, being contented to call their neighbour Kings *Amici & socij populi Romani*. And whether worship or adoration, euen with that same title, he vsed to *Popes* at their creation, our *Cardinall* can best tell you.

But then commeth *another beast vp out of the earth*,<sup>13</sup> hauing indeed a more firme and settled originall: for she doeth visibly and outwardly succeed to the trew

<sup>1</sup> Verse 7.<sup>2</sup> Cap. 11.<sup>3</sup> Verse 3.<sup>4</sup> Cap. 11. Verse 7.<sup>5</sup> Chap. xii. Verse 6.<sup>6</sup> Verse 15.<sup>7</sup> Chap. xiii.<sup>8</sup> Verse 1.<sup>9</sup> Verse 2.<sup>10</sup> Verse 3.<sup>11</sup> Verse 6.<sup>12</sup> Verse 7.<sup>13</sup> Verse 11.



Church, and therefore *she hath two hornes like the Lambe*, in outward shew representing the spouse of CHRIST, and pretending CHRIST to be her defence: But she *speaketh like the Dragon*, teaching damnable and deuillish doctrine. And this *Apostatike* (I should say *Apostolike*) Church, after that she hath made her great power manifest to the world, by *doing all that the first Beast could doe*,<sup>1</sup> *In conspectu eius*; that is, by shewing the greatnesse of her power, to be nothing inferiour to the greatnesse of the former *Ethnicke Empire*: she then is mooued with so great a desire to aduance this Beast, now become *Antichrist*, as she *causeth the earth and all that dwell therein, to worship this former Beast* or Roman Monarch; transferring so, as it were, her owne power in his person. Yea, euen Emperours and Kings shall be faine to kisse his feet. And for this purpose shall shee worke great Miracles, wherein she greatly prides her selfe, deceiuing men with lying wonders and efficacie of lyes, as *S. Paul*<sup>2</sup> saith. And amongst the rest of her wonders, she must bring *Fire out of heauen*,<sup>3</sup> *Fulmen excommunication[i]s*, which can dethrone Princes: So that all that will not *worship the image of the Beast*,<sup>4</sup> that is, his vnlimited Supremacie, *must be killed* and burnt as Heretikes. Yea, so peremptory will this Beast or false Prophet be (so called in the xvj. Chapter of this booke) for the aduancement of the other Beast or *Antichrist*; as all sorts and rankes of people must *receiue the marke*<sup>5</sup> *or name of that Beast in their right hand, or in their forehead; without the which it should be lawfull to none to buy, or sell*:<sup>6</sup> by the *Marke in the forehead*, signifying their outward profession and acknowledgement of their subiection vnto her; and by the *Marke in their right hand*, signifying their actuall implicite obedience vnto her, who they thinke cannot erre, though she should commaund them to rebell against their naturall princes; like that *Cæca obedientia* whereunto all the *Iesuits* are sworne: and like those *Romish Priests* in this Countrey, that haue renounced and forsworne againe that *Oath of Allegiance*, grounded vpon their naturall Oath; which though at their taking it, they confessed they did it out of conscience, and as obliged thereunto by their naturall duetie; yet now must they forswear it againe, for obedience to the *Popes* command; to whose will their conscience and reason must be blindly captiuated. And who euer denied this absolute power, might *neither buy nor sell*; for no man was bound to keepe any faith, or obserue any ciuill contracts with Heretikes: yea, to æquiocate and commit periury towards them, is a lawfull thing in a Catholike.

Now as to the Mysterie anent the *Number* of his name;<sup>7</sup> whether it shalbe vnderstood by the number composed of the Letters in that Greeke word ΛΑΤΕΙΝΟΣ;<sup>8</sup> which word well sutes with the *Romish Church*, *Romish Faith*, and *Latine Seruice*: Or whether in respect that in the Text it is called *the number of the man*, ye will take it for the number or date of the yeere of GOD, wherein that first man liued, that first tooke the title of the *Antichrist* vpon him; I leaue it to the Readers choice. By that *first Man*, I meane *Bonifacius tertius*, who first called himselfe

<sup>1</sup> Verse 12.<sup>2</sup> 2. Thes. 2. 9.<sup>3</sup> Verse 13.<sup>4</sup> Verse 15.<sup>5</sup> Verse 17.<sup>6</sup> Verse 16.<sup>7</sup> Verse 17.<sup>8</sup> Irenæus aduersus Hæres. lib. 5.

*Vniuersall Bishop*; which S. *Gregorie*, that liued till within three yeeres of his time,<sup>1</sup> foretold would be the style of the *Antichrist*, or his *Præcursor*: for though he died threescore yeeres before the 666. of *CHRIST*; yet was that Title but fully settled vpon his Successors, sixtie yeeres after his time. Or if ye list to count it from *Pompey* his spoiling of the Temple, to this same Mans time; it will goe very neere to make iust vp the said *number* 666.

Now the raigne of the *Antichrist* being thus prophetically described in the xiiij. Chapter, his fall is prophecied in the xiiij. First by the ioyfull and triumphall *New song*<sup>2</sup> of the Saints in heauen: And next by the proclamation of three Angels; whereof the first hauing an *euerlasting Gospel*<sup>3</sup> in his hand to preach to all Nations (the trew armour indeed wherewith the *Witnesses* fought against the *Antichrist*;) The first Angel, I say, proclaimed *Feare and glory to GOD*, since the *houre of his Iudgement was come*.<sup>4</sup> And the second proclaimed the *fall of Babylon*,<sup>5</sup> which is the destruction of the *Antichrist*. And the third prohibited vnder great paines, euen the paine of eternall damnation, that none should *worship the Beast*,<sup>6</sup> or receiue his *Marke*. But though that in the rest of this Chapter the Latter day be againe prophecied, as a thing that shall come shortly after the reuealing of the man of *Sinne*: yet in the xv. Chap. he telleth of *seuen plagues*,<sup>7</sup> vnder the name of *Vials*, that shall first fall vpon the *Antichrist* and his kingdome; which, being particularly set downe in the xvj. Chapter, he reckoneth among the rest. In the *fift viall*,<sup>8</sup> the plague of darkenesse; yea, such darkenesse as the kingdome of *Antichrist* shall be obscured. Whereby at the powring forth of the *sixt Viall* the *way of the Kings of the East shall be prepared*;<sup>9</sup> the man of *Sinne* being begun to be reuealed, and so all impediments remooued that might let the inuasion of that Monarchie: euen as that great riuier *Euphrates* that runneth by the literall *Babylon*, guarded it from the Kings of the *East*, the *Medes* and *Persians*, the time of the *Babylonian* Monarchie, till by the drying thereof, or vnexpected passage made through it by *Cyrus*,<sup>10</sup> *Babylon* was wonne, and *Baltasar* destroyed, and his Monarchie ouerthrowne, euen while hee was sitting in that literall *Babylon*, corporally drunken and quaffing in the vessels ordained for GODS Seruice; and so sitting as it were in the Temple of God, and abusing the holy Mysteries thereof.

For remedy whereof, at the powring forth of the *sixt Viall*, *three vncleane spirits, like frogs, shall then come forth out of the mouth of the Dragon, that beast, and of the false prophet*;<sup>11</sup> which I take to be as much to say, as that how soone as the kingdome of *Antichrist* shall be so obscured, with such a grosse and a palpable ignorance, as learning shall be almost lost out of the world, and that few of the very Priests themselues shall be able to reade Latine, much lesse to vnderstand it; and so a plaine way made for the Destruction of *Babylon*: Then shall a new sect of Spirits arise for the defence of that falling Throne, called *three* in number, by

<sup>1</sup> Epist. lib. 6. cap. 30.<sup>2</sup> Chap. xiiij. Verse 3.<sup>3</sup> Verse 6.<sup>4</sup> Verse 7.<sup>5</sup> Verse 8.<sup>6</sup> Verse 9.<sup>7</sup> Chap. xv. Verse 1.<sup>8</sup> Chap. xvi. Verse 10.<sup>9</sup> Verse 12.<sup>10</sup> Dan. 5. 3.<sup>11</sup> Verse 13.



reason of their three-fold direction; being raised and inspired by the Dragon Sathan, authorized and maintained by the Beast the *Antichrist*, and instructed by the false prophet the Apostatike Church, that hath the hornes like the Lambe, but speaketh like the Dragon. These Spirits indeed, thus sent forth by this threefold authoritie for the defence of their Triple-crowned Monarch, are well likened to frogges; for they are *Amphibions*, and can liue in either Element, earth or water: for though they be Churchmen by profession, yet can they vse the trade of politike Statesmen; going to the Kings of the earth, to gather them to the battell of that Great day of GOD Almightye.<sup>1</sup> What Massacres haue by their perswasion bene wrought through many parts of Christendome, and how euilly Kings haue sped that haue bene counselled by them; all the vnpartiall Histories of our time doe beare record. And whatsoever King or State will not receiue them, and follow their aduise, rooted out must that King or State be, euen with Gunpowder ere it faile. And these *frogges* had reason indeed to labour to become learned, thereby to dissipate that grosse mist of ignorance, wherewith the reigne of *Antichrist* was plagued before their comming forth.<sup>2</sup> Then doeth this Chapter conclude with the last plague that is powred out of the seuenth *Viall* vpon the *Antichrist*, which is the day of Iudgement: for then *Babylon* (saith he) *came in remembrance before God*.<sup>3</sup>

But in the 17. Chapter is the former Vision interpreted and expounded;<sup>4</sup> and there is the *Antichrist* represented by a *Woman*, sitting vpon that many-headed *Beast*; because as CHRIST his trew Spouse and Church is represented by a *Woman* in the twelfth Chapter, so here is the Head of his adulterous spouse or false Church represented also by a woman, but *hauing a cup full of abominations in her hand*:<sup>5</sup> as her selfe is called a *Whoore*,<sup>6</sup> for her spiritual adulterie, hauing seduced the *Kings of the earth* to be partakers of her Spirituall fornication.<sup>6</sup> And yet wonderful gorgious and glorious was she in outward shew; but *drunken with the blood of the Saints*,<sup>7</sup> by a violent persecution of them. And that shee may the better bee knowne, hee writeth her name vpon her forehead agreeable to her qualities: *A Myserie*,<sup>8</sup> that *great Babylon, the Mother of whoredomes and abominations of the earth*. A *Myserie* is a name that belongeth vnto her two maner of wayes: One, as shee taketh it to her selfe; another, as shee deserueth indeed. To her selfe shee taketh it, in calling herselfe the visible Head of the mysticall Body of CHRIST, in professing her selfe to bee the dispenser of the mysteries of GOD, and by her onely must they bee expounded: This great God in earth and Head of the Faith, being a *Mystes* by his profession; that is, a Priest. And if the obseruation of one be trew, that hee had of old the word *Myserie* written on his Myter; then is this Prophecie very plainly accomplished. Now that indeed shee deserues that name, the rest of her Title doeth beare witnesse that sheweth her to bee *the Mother*

<sup>1</sup> Verse 14.<sup>2</sup> Verse 17.<sup>3</sup> Verse 19.<sup>4</sup> The fourth description. Chap. 17. Verse 3.<sup>5</sup> Verse 4.<sup>6</sup> Verse 1.<sup>7</sup> Verse 2.<sup>8</sup> Verse 6.<sup>9</sup> Verse 5.

of all the whoredomes and abominations of the earth:<sup>1</sup> and so is she vnder the pretext of holinesse, a *Mystery* indeed of all inquitie and abominations; vnder the maske of pretended feeding of Soules, deuouring Kingdomes, and making *Christendome* swimme in blood.

Now after that this scarlet or bloody Beast and her Rider are described, by their shape, garments, name and qualities: the Angel doeth next interpret this vision vnto *Iohn*, expounding vnto him what is signified both by the *Beast* and her *Rider*; telling him, the seuen heads of the Beast are *seuen Hilles*,<sup>2</sup> meaning by the situation of that Citie or seat of *Empire*; and that they are also *seuen Kings* or formes of gouernment in the said Citie, whereof I have told you my conceit already. As for the ten Hornes,<sup>3</sup> which hee sheweth to be *tenne Kings, that shall at one houre receiue their power and kingdome with the Beast*, I take that number of *ten* to be *Numerus certus pro incerto*; euen as the number of seuen heads and ten hornes vpon the Dragon the Deuill, cannot but be an vncertaine number. And that hee also imitates in those ten hornes, the ten hornes of the seuen headed Beast in the seuenth of *Daniel*: and therefore I take these ten *Kings* to signifie, all the Christian *Kings*, and free *Princes* and *States* in generall, euen you whom to I consecrate these my Labours, and that of vs all he prophesieth, that although our first becomming absolute and free Princes, should be in one houre with the Beast: (for great Christian Kingdomes and Monarches did but rise, and receiue their libertie by the ruines of the *Ethnicke Romane Empire*, and at the destruction thereof) and at the very time of the beginning of the planting of the *Antichrist* there; and that we should for a long time continue to worship the Beast, hauing *one* Catholike or common consenting *minde*<sup>4</sup> in obeying her, *yeelding our power and authoritie vnto her*, and kissing her feete, drinking with her in her cup of Idolatrie, and *fighting with the Lambe*,<sup>5</sup> in the persecution of his Saints, at her command that gouerneth so many Nations and people: yet notwithstanding all this, wee shall in the time appointed by GOD, hauing thus fought with the Lambe, but *being ouercome by him*, that is conuerted by his Word, wee shall then (I say) *hate the Whore*,<sup>6</sup> *and make her desolate, and make her naked*, by discouering her hypocrisie and false pretence of zeale; and shall *eate her flesh, and burne her with fire*. And thus *shall the way of the Kings of the East bee prepared*,<sup>7</sup> as ye heard in the sixteenth Chapter. And then doeth hee subioyne the reason of this strange change in vs: for (saith hee) GOD hath put it in their hearts to fulfill his will, and with one consent to giue their Kingdomes to the Beast, till the words of GOD be full filled,<sup>8</sup> according to that sentence of Solomon; That the hearts of Kings are in the handes of GOD, to bee turned at his pleasure.<sup>9</sup> And hauing thus interpreted the Beast or Empire; hee in a word expounds, that by the *Woman* that rode vpon her, or Monarch that gouerned her, was meant that great Citie<sup>10</sup> that reigned ouer the

<sup>1</sup> Verse 5.<sup>2</sup> Verse 9.<sup>3</sup> Verse 12.<sup>4</sup> Verse 13.<sup>5</sup> Verse 14.<sup>6</sup> Verse 16.<sup>7</sup> Reuel. 16. 12.<sup>8</sup> Verse 17.<sup>9</sup> Prou. 21. 1.<sup>10</sup> Verse 18.



*Kings of the earth:* by the Seate of the Empire pointing out the qualitie of the persons that should sit and domine there.

Then is the greatnesse of her fall, and the great lamentation that both the Kings and Merchants of the earth shall make for the same, proclaimed by an other Angel in the eighteenth Chapter. The *Kings* lamenting her fall,<sup>1</sup> because they *liued in pleasure with her*; which no Kings could doe with *Ethnicke Rome*, who conquered them by her sword: for shee honoured them with Titles, and dispensed with their lustes and vnlawfull marriages. And the *Merchants of the earth*,<sup>2</sup> and all *Shipmasters, and traffickers vpon the Sea*, shall lament the fall of that great Citie, which *neuer had a fellow*, for the losse of their riches and traffique, which they enioyed by her meanes. And there he describeth all sorts of *rich wares*,<sup>3</sup> whereof that great Citie was the Staple: for indeed shee hath a necessary vse for all such rich and glorious wares, as well for ornaments to her Churches and princely Prelates, as for garments and ornaments to her wooden Saints; for the *blessed Virgin* must be dayly clothed and decked in the newest and most curious fashjon, though it should resemble the habit of a *Curtizane*. And of all those rich wares, the most precious is last named, which is *the Soules of men*:<sup>4</sup> for so much bestowed vpon Masses, and so much doted to this or that Cloyster of Monkes or Friars, but most of all now to that irregular and incomprehensible order of *Iesuites*; shal both redeeme *his owne Soule*, and all his parents to the hundreth generation, from broyling in the fire of *Purgatory*. And (I hope) it is no small merchandise of Soules, when men are so highly deluded by the hopes and promise of Saluation, as to make a Frier murther his *Soueraigne*; <sup>5</sup> a yong knaue attempt the murther of his next *Successour*; <sup>6</sup> many one to conspire and attempt the like against the late *Queene*; and in my time, to attempt the destruction of a whole *Kingdome* and *State* by a blast of Powder: and hereby to play bankrupt with both the soules mentioned in the Scriptures, *Animus & Anima*.

But notwithstanding of this their great Lamentation, they are commanded by a voyce from heauen to doe two things: One, *to flee from Babylon, lest they bee partakers of her sinnes*,<sup>7</sup> and consequently *of her punishment*. Which warning I pray God that yee all, my *Beloued Brethren* and *Cousins*, would take heed vnto in time, humbly beseeching him to open your eyes for this purpose. The other command is, *to reward her as shee hath rewarded you; yea, euen to the double*.<sup>8</sup> For as she did flie but with your feathers, borrowing as well her Titles of greatnesse and formes of honouring her from you; as also enioying all her Temporall liuing by your liberalities; so if euery man doe but take his owne againe, she will stand vp <sup>9</sup> naked; and the reason is giuen, because of her pride: For *shee glorifieth her selfe liuing in pleasure*, and in her heart saith, *shee sitteth as a Queene* (outward prosperitie being one of their notes of a trew Church) and is *no Widow*;<sup>10</sup> for her

<sup>1</sup> Chap. 18. Verse 9. 10.

<sup>2</sup> Verse 11, 15, 16, 17, 18.

<sup>3</sup> Verse 12, 13.

<sup>4</sup> Verse 13.

<sup>5</sup> Henry 3. K. of France.

<sup>6</sup> Henry 4.

<sup>7</sup> Verse 4.

<sup>8</sup> Verse 6.

<sup>9</sup> Cornicula Aesopica.

<sup>10</sup> Verse 7.

Spouse CHRIST is bound to her by an inuiolable knot (for he hath sworne neuer to forsake her) *and she shall see no mourning*: for she cannot erre, nor the gates of Hell shall not preuaile against her.

But though the earth and worldly men lament thus for the fall of *Babylon* in this eighteenth Chapter, yet in the nineteenth, Heauen and all the Angels and Saints<sup>1</sup> therein doe sing a triumphall *Cantique*<sup>2</sup> for ioy of her fall, praising God for the fall of that *great Whore*: Great indeed, for our *Cardinall*<sup>3</sup> confesseth, that it is hard to describe what the Pope is, such is his greatnesse. And in the end of that Chapter is the obstinacie of that *Whore* described, who euen *fought* to the vttermost *against him that sate on the white Horse*,<sup>4</sup> and his armie; till the *Beast*<sup>5</sup> or *Antichrist* was taken, and the false *Prophet*, or false Church with him, who by *Miracles*, and *lying wonders* deceived them that *receiued the marke of the Beast*; and both were cast quicke into the burning lake of fire and brimstone; *vnde nulla redemptio*. Like as in the ende of the former Chapter, to describe the fulnesse of the *Antichrists* fall (not like to that reparable wound that *Ethnicke Rome* gate) it is first compared to a *Milstone cast into the sea*,<sup>6</sup> that can neuer rise and fleete againe: And next it is expressed by a number of ioyfull things that shall neuer bee heard there againe, where nothing shall inhabite but desolation.<sup>7</sup> But that the patience and constancie of Saints on earth, and God his Elected may the better bee strengthened and confirmed; their persecution in the latter dayes, is shortly prophesied and repeated againe, after that *Satan hath beene bound*,<sup>8</sup> or his furie restrained, by the world enioying of peace for a *thousand yeeres*, or a great indefinite time; their persecuters being named *Gog and Magog*,<sup>9</sup> the secret and reuealed enemies of CHRIST. Whether this be meant of the Pope and the Turke, or not; (who both began to rise to their greatnesse about one time) I leaue to bee, guessed; alwayes their vtter confusion<sup>10</sup> is there assuredly promised: and it is said; that the *Dragon, the Beast, and the false Prophet*,<sup>11</sup> shall all three bee *cast in that lake of fire and brimstone, to be tormented for euer*.<sup>12</sup> And thereafter is the latter day described againe (*which must be hastened for the Elects sake*)<sup>13</sup> and then for the further comfort of the Elect, and that they may the more constantly and patiently endure these temporall and finite troubles, limited but to a *short* space; in the last two Chapters<sup>14</sup> are the ioyes of the eternall *Ierusalem* largely described.

Thus hath the *Cardinals* shamelesse wresting of those two places of Scripture, *Pasce oues meas*, and *Tibi dabo claues*, for proouing of the Popes supreamme Temporall authoritie ouer Princes; animated mee to prooue the Pope to bee THE ANTICHRIST, out of this foresaid booke of Scripture; so to pay him in his owne money againe. And this opinion no Pope can euer make me to recant; except they first renounce any further meddling with Princes, in any thing belonging to

<sup>1</sup> Cap. xix. Verse 1.

<sup>2</sup> Verse 2.

<sup>3</sup> Bellar. in Res. ad Gerson, cons. 11.

<sup>4</sup> Verse 19.

<sup>5</sup> Verse 20.

<sup>6</sup> Cap 18. 21.

<sup>7</sup> Ibidem. Vers. 22. 23.

<sup>8</sup> Cap xx. Verse 2.

<sup>9</sup> Verse 8.

<sup>10</sup> Verse 9.

<sup>11</sup> Verse 10.

<sup>12</sup> Verse 11, 12, 13.

<sup>13</sup> Matth. 24. 22.

<sup>14</sup> Cap. xxj. xxij.



their Temporall Iurisdiction. And my onely wish shall bee, that if any man shall haue a fancie to refute this my coniecture of the *Antichrist*; that hee answere mee orderly to euery point of my discourse; not contenting him to disprooue my opinion, except hee set downe some other Methode after his forme for interpretation of that Booke of the *Apocalyps*, which may not contradict no part of the Text, nor containe no absurdities: Otherwise, it is an easie thing for *Momus* to picke quarrels in another mans tale, and tell it worse himselfe; it being a more easie practise to finde faults, then amend them.

Hauing now made this digression anent the *Antichrist*, which I am sure I can better fasten vpon the Pope, then *Bellarmino* can doe his pretended Temporall Superioritie ouer Kings: I will returne againe to speake of this Answerer; who (as I haue already told you) so fitteth his matter with his manner of answering, that as his Style is nothing but a Satyre and heape full of iniurious and reprochfull speaches, as well against my Person, as my Booke; so is his matter as full of lyes and falsities indeed, as hee vniustly layeth to my charge: For three lies hee maketh against the Oath of Allegiance, contained and maintained in my Booke; besides that ordinary repeated lie against my Booke, of his omitting to answere my lyes, trattles, iniurious speaches and blasphemies. One grosse lye he maketh euen of the Popes first *Breue*. One lye of the Puritanes, whom he would gladly haue to be of his partie. And one also of the Powder-Traitours, anent the occasion that moued them to vndertake that treasonable practise. Three lies hee makes of that Acte of Parliament wherein this Oath of Allegiance is contained. Hee also maketh one notable lie against his owne Catholike Writers. And two, of the causes for which two *Iesuites* haue beene put to death in *England*. And he either falsifies, denies or wrests fise sundry Histories and a printed Pamphlet: besides that impudent lye that hee maketh of my Person; that I was a Puritane in *Scotland*, which I haue already refuted. And for the better filling vp of his booke with such good stuffe; hee hath also fise so strange and new principles of Diuinitie therein, as they are either new, or at least allowed by very few of his owne Religion. All which lyes, with diuers others, and fise strange, and (as I thinke) erroneous points of Doctrine, with sundry falsifications of Histories; are set downe in a Table by themselues in the end of this my Epistle, hauing their Refutation annexed to euery one of them. .

But as for the particular answering of his booke; it is both vnecessary and vncomely for me to make a Reply. Vnnecessary, because (as I haue already told you) my Booke is neuer yet answered, so farre as belongeth to the maine question anent the Oath of Allegiance: the picking of aduantages vpon the wrong placing of the figures in the citations, or such errors in the Print by casuall addition, or omission of words that make nothing to the Argument; being the greatest weapons wherewith hee assaults my Booke. And vncomely it must needs be (in my opinion) for a *King* to fall in altercation with a *Cardinal*, at least with one no more nobly descended then he is: That Ecclesiasticall dignitie, though by the

sloath of Princes (as I said before) it be now come to that height of vsurped honour, yet being in the trew originall and foundation thereof nothing else, but the title of the Priests and Deacons of the Parish Churches in the towne of *Rome*; at the first, the stile of *Cardinals* being generally giuen to all Priests and Deacons of any Cathedral Church, though the multitude of such *Cardinal* Priests and Deacons resorting to *Rome*, was the cause that after bred the restraining of that title of *Cardinall* Priests and Deacons, onely to the Parish priests and Deacons of *Rome*. And since that it is *S. Gregorie*, who in his Epistles sixe hundreth yeeres after CHRIST, maketh the first mention of *Cardinals* (and so these now *Electours* of the Apostolike Sea, beeing long and many hundreth yeeres vnknownen or vnheard of, after the Apostolik aage; and yet doeth hee speake of them but in this sence as I haue now described) I hope the *Cardinall*, who calleth him the *Apostle* of *England*, cannot blame mee that am King thereof, to acknowledge the *Cardinall* in no other degree of honour, then our said Apostle did. But how they should now become to bee so strangely exalted aboue their first originall institution, that from Parish-priests and Deacons (Priests inferiours) they should now come to bee Princes and Peeres to Kings; and from a degree vnder Bishops (as both *Bellarmino*<sup>1</sup> and *Onuphrius*<sup>2</sup> confesse) to bee now the Popes sole Electours, supplying with him the place of a Generall Councell; whereby the conuening of Generall Councils is now vtterly antiquated and abolished; nay, out of their number onely, the Pope to be elected; who claimeth the absolute Superioritie ouer all Kings: how this their strange vsurped exaltation (I say) should thus creepe in and bee suffered, it belongeth to all them in our place and calling to looke vnto it; who being GOD his Lieutenants in earth, haue good reason to bee iealous of such vpstart Princes, meane in their originall, come to that height by their owne creation, and now accounting themselues Kings fellowes. But the speciall harme they do vs, is by their defrauding vs of our common & Christian interest in General Councils; they hauing (as I said) vtterly abolished the same, by rolling it vp, & making as it were a Monopoly thereof, in their Conclaue with the Pope. Whereas, if euer there were a possibilitie to be expected of reducing all Christians to an vniformitie of Religion, it must come by the means of a Generall Council: the place of their meeting being chosen so indifferent, as all Christian Princes, either in their owne Persons, or their Deputie Commissioners, and all Church-men of Christian profession that beleue and professe all the ancient grounds of the trew, ancient, Catholike, and Apostolike Faith, might haue *tutum accessum* thereunto; All the incendiaries and Nouelist fire-brands on either side being debarred from the same, as well *Iesuites* as *Puritanes*.

And therefore hauing resolved not to paine my selfe with making a Replie for these reasons heere specified, grounded as well vpon the consideration of the matter, as of the person of the Answerer; I haue thought good to content my selfe

<sup>1</sup> Lib. de Clericis, cap. 16.

<sup>2</sup> Lib. de Episcopatibus, Titulis & Diaconijs Cardinalium.



with the reprinting of my *Apologie*: hauing in a manner corrected nothing but the Copiers or Printers faults therein, and prefixed this my Epistle of Dedication and Warning thereunto; that I may yet see, if any thing will be iustly said against it: Not doubting but enow of my Subiects will replie vpon these Libellers, and answer them sufficiently; wishing Yov deeply to consider, and weigh your common interest in this Cause. For neither in all my *Apologie*, nor in his pretended Refutation thereof, is there any question made anent the Popes power ouer mee in particular, for the excommunicating or deposing of mee: For in my particular; the Cardinall doeth mee that grace, that hee saith, The Pope thought it not expedient at this time to excommunicate mee by name; our question being onely generall, Whether the Pope may lawfully pretend any temporall power ouer Kings, or no?

That no Church-men can by his rule bee subiect to any Temporall Prince, I haue already shewed you; And what Obedience any of you may looke for of any of them *de facto*, hee plainely forewarneth you of, by the example of *Gregory* the Great his obedience to the Emperour *Mauritius*; not being ashamed to slander that great Personages Christian humilitie and Obedience to the Emperour, with the title of a constrained and forced obedience, because hee might, or durst doe no otherwise. Whereby he not onely wrongs the said *Gregory* in particular, but euen doeth by that meanes lay on an heauie slander and reproach vpon the Christian humilitie and patience of the whole Primitiue Church, especially in the time of persecution: if the whole glory of their Martyrdome and Christian patience shall bee thus blotted with that vile glosse of their coacted and constrained suffering, because they could or durst doe no otherwise; like the patience and obedience of the Iewes or Turkish slaues in our time, cleane contrary to *Saint Paul*<sup>1</sup> and *Saint Peters*<sup>2</sup> doctrine of obedience for conscience sake; and as contrary to *Tertullians Apologie* for Christians, and all the protestations of the ancient Fathers in that case. But it was good lucke for the ancient Christians in the dayes of Ethnicke Emperours, that this prophane and new conceit was then vnknown among them: otherwise they would haue beene vtterly destroyed and rooted out in that time, and no man to haue pitied them, as most dangerous members in a Commonwealth; who would no longer be obedient, then till they were furnished with sufficient abilitie and power to resist and rebell.

Thus may ye see, how vpon the one part our *Cardinall* will haue all Kings and Monarchs to bee the *Popes Vassals*; and yet will not on the other side, allow the meanest of the *Pope* his vassals, to be subiect to any Christian Prince. But he not thinking it enough to make the *Pope* our Superior, hath in a late Treatise of his (called the *Recognition of his bookes of Controuersies*) made the people and Subiects of euery one of vs, our Superiors. For hauing taken occasion to reuisite againe his bookes of Controuersies, and to correct or explaine what he findeth amisse or mistaketh in them; in imitation of *S. Augustine* his retractions (for so he

<sup>1</sup> Rom. 13. 5.

<sup>2</sup> 1. Pet. 2. 13.

saith in his *Preface*) he doth in place of retracting any of his former errors, or any matter of substance; not retract, but *recant* indeed, I meane sing ouer againe, and obstinately confirme a number of the grossest of them: Among the which, the exempting of all Church-men from subiection to any Temporall Prince, and the setting vp not onely of the *Pope*, but euen of the People about their naturall King; are two of his maine points.

As for the exemption of the Clerickes; he is so greedy there to proue that point, as he denieth *Cæsar* to haue beede *Pauls* lawfull Iudge: contrary to the expresse Text, and *Pauls* plaine Appellation,<sup>1</sup> and acknowledging him his Iudge; besides his many times claiming to the Roman priuiledges, and auowing himselfe a Roman by freedome;<sup>2</sup> and therefore of necessitie a Subiect to the Roman Emperour. But it is a wonder that these *Romane Catholikes*, who vaunt themselves of the ancientie both of their doctrine and Church, and reproch vs so bitterly of our Nouelties, should not be ashamed to make such a new inept glosse as this vpon S. *Pauls* Text; which as it is directly contrary to the Apostles wordes, so is it without any warrant, either of any ancient *Councell*, or of so much as any one particular *Father* that euer interprets that place in this sort: Neither was it euer doubted by any Christian in the Primitiue Church, that the Apostles, or any other degree of Christians, were subiect to the Emperour.

And as for the setting vp of the People about their owne naturall King, he bringeth in that principle of Sedition, that he may thereby proue, that Kings haue not their power and authoritie immediatly from God, as the Pope hath his: For euery King (saith he) is made and chosen by his people; nay, they doe but so transferre their power in the Kings person, as they doe notwithstanding retaine their habituall power in their owne hands, which vpon certaine occasions they may actually take to themselves againe. This, I am sure, is an excellent ground in Diuinitie for all Rebels and rebellious people, who are hereby allowed to rebell against their Princes; and assume libertie vnto themselves, when in their discretions they shall thinke it conuenient.

And amongst his other Testimonies for probation, that all Kings are made and created by the People; he alledgeth the Creation of three Kings in the Scripture, *Saul*, *Dauid* and *Ieroboam*; and though hee bee compelled by the expresse words of the Text, to confesse, that God by his Prophet *Samuel* annointed both *Saul*<sup>3</sup> and *Dauid*;<sup>4</sup> yet will he, by the post-consent of the people, proue that those Kings were not immediately made by God, but mediately by the people; though he repeat thrise that word of *Lott*, by the casting whereof he confesseth that *Saul* was chosen. And if the Election by *Lott* be not an immediate Election from God; then was not *Matthias*,<sup>5</sup> who was so chosen and made an Apostle, immediatly chosen by GOD: and consequently, he that sitteth in the Apostolike Sea cannot for shame claime to be immediatly chosen by God, if *Matthias* (that was one of the

<sup>1</sup> Acts. 25. 10.

<sup>3</sup> 1. Sam. 10. 1.

<sup>5</sup> Actes 1.

<sup>2</sup> Acts 22. 28.

<sup>4</sup> 1. Sam. 16. 12. 13.



twelue Apostles, supplying *Iudas* his place) was not so chosen. But as it were a blasphemous impietie, to doubt that *Matthias* was immediatly chosen by God, and yet was hee chosen by the casting of Lots, as *Saul* was: so is it well enough knowne to some of you (my louing *Brethren*) by what holy Spirit or casting of Lots the *Popes* vse to be elected; the Colledge of *Cardinals*, his electors, hauing beene diuided in two mightie factions euer since long before my time; and in place of casting of Lotts, great fat pensions beeing cast into some of their greedy mouthes for the election of the *Pope*, according to the partiall humours of Princes. But I doe most of all wonder at the weakenesse of his memorie: for in this place he maketh the post-consent of the people to be the thing that made both these Kings, notwithstanding of their preceding inauguration and anoyntment by the Prophet at Gods commandement; forgetting that in the beginning of this same little booke of his, answering one that alledgeth a sentence of S. *Cyprian*, to prooue that the Bishops were iudged by the people in *Cyprians* time, he there confesseth, that by these words, the *consent of the people* to the Bishops Election must be onely vnderstood. Nor will he there any wayes be mooued to graunt, that the peoples power, in consenting to or refusing the Election of a Bishop, should be so vnderstood, as that thereby they haue *power to elect Bishops*: And yet do these words of *Cyprian* seeme to bee farre stronger, for granting the peoples power to elect Churchmen, then any words that he alledgeth out of the Scripture are for the peoples power in electing a King. For the very words of *Cyprian*<sup>1</sup> by himselfe there cited, are, That *the very people haue principally the power, either to chuse such Priests as are worthy, or to refuse such as are unworthie*: And, I hope, hee can neuer prooue by the Scripture, that it had beene lawfull to the people of Israel, or that it was left in their choise, to haue admitted or refused *Saul* or *Dauid* at their pleasure, after that the Prophet had anoynted them, and presented them vnto them.

Thus yee see how little he careth (euen in so little a volume) to contradict himselfe, so it may make for his purpose; making the *consent* of the people to signifie their *power of Election* in the making of Kings; though in the making of Bishops, by the peoples *consent*, their *approbation* of a deed done by others must onely be vnderstood. And as for his example of *Ieroboams*<sup>2</sup> election to bee King; hee knoweth well enough, that *Ieroboam* was made King in a popular mutinous tumult and rebellion; onely permitted by God, and that in his wrath, both against these two Kings and their people. But if he will needs helpe himselfe, against all rules of Diuinitie, with such an extraordinary example for prooofe of a generall Rule; why is it not as lawfull for vs Kings to oppose hereunto the example of *Iehu*<sup>3</sup> his Inauguration to the Kingdome; who vpon the Prophets priuat anointment of him, and that in most secret manner, tooke presently the Kings office vpon him, without euer crauing any sort of approbation from the people?

<sup>1</sup> Cyprian. lib. 1. Epist. 4.<sup>2</sup> 1 King. 12. 20.<sup>3</sup> 2. King. 9. 2, 3.

And thus may ye now clearely see, how deepe the claime of the Babylonian Monarch toucheth vs in all our common interest: for (as I haue already told) the *Pope*, nor any of his Vassals, I meane Church-men must be subiect to no Kings nor Princes: and yet all Kings and their Vassals must not onely be subiect to the Pope, but euen to their owne people. And now, what a large libertie is by this doctrine left to Church-men, to hatch or foster any treasonable attempts against Princes; I leaue it to your considerations, since do what they will, they are accountable to none of vs: nay, all their treasonable practises must be accounted workes of pietie, and they (being iustly punished for the same) must be presently inrolled in the list of Martyrs and Saints; like as our new printed Martyrologie hath put *Garnet* and *Ouldcorne* in the Register of English *Martyrs* abroad, that were hanged at home for *Treason* against the Crowne and whole State of *England*: so as I may iustly with *Isaiah*,<sup>1</sup> pronounce a *Woe to them that speake good of euill, and euill of good; which put light for darkenesse, and darkenesse for light; which iustifie the wicked for a reward, and take away the righteousness of the righteous from him.*<sup>2</sup> For euen as in the time of the greatest blindnesse in Popery, though a man should find his wife or his daughter lying a bed in her Confessors armes; yet was it not lawfull for him so much as to suspect that the Frier had any errand there, but to Confesse and instruct her: Euen so, though *Iesuites* practising in *Treason* be sufficiently verified, and that themselues cannot but confesse it; yet must they be accounted to suffer *Martyrdome* for the Faith, and their blood worke miracles, and frame a *stramineum argumentum* vpon strawes; when their heads are standing aloft, withered by the Sunne and the winde, a publike spectacle for the eternall commemoration of their treacherie. Yea, one of the reasons, that is giuen in the Printers Epistle of the *Colonian* edition of the Cardinall or his Chaplains pamphlet, why he doth the more willingly print it, is; because that the innocencie of that most holy and constant man *Henry Garnet*, is declared and set forth in that booke; against whom, some (*he knew not who*) had scattered a false rumour of his guiltinesse of the English treason.

But, Lord, what an impudencie or wilfull ignorance is this, that he, who was so publickely and solemnely conuicted and executed, vpon his owne so cleare, vnforced and often repeated confession, of his knowledge and concealing of that horrible *Treason*, should now be said to haue a certaine rumour spred vpon him of his guiltinesse, by *I know not who*? with so many attributes of godlinesse, constancie and innocencie bestowed vpon him, as if publike Sentences and Executions of Iustice, were rumors of *I know not who*. Indeed, I must confesse, the booke it selfe sheweth a great affection to performe, what is thus promised in the Preface thereof: for in two or three places therein, is there most honorable lying mention made of that straw-Saint; wherein, though he confesse that *Garnet* was vpon the foreknowledge of the Powder-Treason, yet in regard it was (as he saith) onely vnder the Seale of Confession, he sticketh not to praise him for his conceal-

<sup>1</sup> Isai 5. 20.<sup>2</sup> Verse 23.



ing thereof, and would gladly giue him the crowne of glory for the same: not being ashamed to proclaime it as a principall head of Catholique doctrine; *That the secret of Sacramentall confession ought not to be reuealed, not for the eschewing of whatsoeuer euill.* But how damnable this doctrine is, and how dangerously preiudiciall to all Princes and States; I leaue it to you to iudge, whom all it most highly concerneth. For although it bee trew, that when the Schoolemen came to be Doctors in the Church, and to marre the old grounds in Diuinitie by sowing in among them their Philosophicall distinctions; though they (I say) do maintaine, That whatsoeuer thing is told a Confessor vnder the vaile of confession, how dangerous foeuer the matter be, yet he is bound to conceale the parties name: yet doe none of them, I meane of the old Schoolmen, deny; that if a matter be reuealed vnto them, the concealing whereof may breed a great or publike danger; but that in that case the Confessor may disclose the matter, though not the person, and by some indirect means make it come to light, that the danger thereof may be preuented. But that no treason nor deuilish plot, though it should tend to the ruine or exterminion of a whole Kingdome, must be reuealed, if it be told vnder Confession, no not the matter so farre indirectly disclosed, as may giue occasion for preuenting the danger thereof: though it agree with the conceit of some three or foure new *Iesuited* Doctors, it is such a new and dangerous head of doctrine, as no King nor State can liue in securitie where that Position is maintained.

And now, that I may as well prooue him a lyar *in facto*, in his narration of this particular History; as I haue shewed him to be *in iure*, by this his damnable and false ground in Diuinity: I will trewly informe you of *Garnets* case, which is farre otherwise then this Answerer alleadgeth. For first, it can neuer be accounted a thing vnder Confession, which he that reueals it doth not discouer with a remorse, accounting it a sinne whereof hee repenteth him; but by the contrary, discouers it as a good motion, and is therein not dissuaded by his Confessor, nor any penance enioyned him for the same: and in this forme was this Treason reuealed to *Garnet*, as himselfe confessed. And next, though he stood long vpon it, that it was reuealed vnto him vnder the vaile of Confession, in respect it was done in that time, while as the partie was making his Confession vnto him; Yet at the last hee did freely confesse, that the party reuealed it vnto him as they were walking, and not in the time of Confession: But (he said) he deliuered it vnto him vnder the greatest Seale that might bee, and so he tooke that he meant by the Seale of Confession; And it had (as he thought) a relation to Confession, in regard that hee was that parties Confessor, and had taken his Confession sometimes before, and was to take it againe within few dayes thereafter. He also said, that he pretended to the partie, that he would not conceale it from his Superior. And further it is to be noted, that he confessed, that two diuers persons conferred with him anent this Treason; and that when the one of them which was *Catesby*, conferred with him thereupon, it was in the other parties presence and hearing: and what a

Confession can this be in the hearing of a third person? And how farre his last words (whereof our Answerer so much vaunts him) did disproue it to haue bene vnder Confession, the Earle of Northamptons booke doeth beare witnesse.

Now as to the other parties name, that reuealed the Powder-Treason vnto him, it was *Greenewell* the *Iesuite*; and so a *Iesuite* reuealed to a *Iesuite* this Treasonable plot, the *Iesuite* reuealer not shewing any remorse, and the *Iesuite* whom-to it was reuealed not so much as enioyning him any penance for the same. And that ye may know that more *Iesuits* were also vpon the partie, *Owldcorne* the other Powder-Martyr, after the misgiuing and discouery of that Treason, preached consolatory doctrine to his Catholique audiorie; exhorting them not to faint for the misgiuing of this enterprise, nor to thinke the worse thereof that it succeeded not; alleading diuers Presidents of such godly enterprises that misgaue in like maner: especially, one of *S. Lewes* King of France, who in his second journey to the *Holy-land* died by the way, the greatest part of his armie being destroyed by the plague; his first journey hauing likewise misgiuen him by the *Soldans* taking of him: exhorting them thereupon not to giue ouer, but still to hope that God would blesse their enterprise at some other time, though this did faile.

Thus see ye now, with what boldnesse and impudencie hee hath belied the publicly knowne veritie in this errand; both in auowing generally that no *Iesuite* was any wayes guiltie of that Treason, for so he affirmeth in his booke; and also that *Garnet* knew nothing thereof, but vnder the Seale of Confession. But if this were the first lye of the affaires of this State, which my fugitiue Priests and Iesuits haue coyned and spread abroad, I could charme them of it, as the prouerbe is. But as well the walles of diuers Monasteries and *Iesuites* Colledges abroad, are filled with the painting of such lying Histories, as also the bookes of our said fugitiues are farced with such sort of shamelesse stuffe; such are the innumerable sorts of torments and cruell deathes, that they record their Martyrs to haue suffred here, some torne at foure Horses; some sowed in Beares skinnes, and then killed with Dogges; nay, women haue not bene spared (they say) and a thousand other strange fictions; the vanities of all which I will in two words discouer vnto you.

First, as for the cause of their punishment, I doe constantly maintaine that which I haue said in my *Apologie*: That no man, either in my time, or in the late *Queenes*, euer died here for his conscience. For let him be neuer so deuout a Papist, nay, though he professe the same neuer so constantly, his life is in no danger by the Law, if hee breake not out into some outward acte expresly against the words of the Law; or plot not some vnlawfull or dangerous practise or attempt; Priests and Popish Church-men onely excepted, that receiue Orders beyond the Seas; who for the manifold treasonable practises that they haue kindled and plotted in this countrey, are discharged to come home againe vnder paine of Treason, after their receiuing of the said Orders abroad; and yet, without some other guilt in



them then their bare home-comming, haue none of them bene euer put to death. And next, for the cruell torments and strange sorts of death that they say so many of them haue bene put vnto; if there were no more but the Law and continually obserued custome of England, these many hundred yeeres, in all criminall matters, it will sufficiently serue to refute all these monstrous lies: for no tortures are euer vsed here, but the Manacles or the Racke, and these neuer but in cases of high Treason; and all sorts of Traitours die but one maner of death here, whether they be Papist or Protestant Traitors; Queene *Maries* time onely excepted. For then indeed no sorts of cruell deathes were spared vnexecuted vpon men, women and children professing our Religion: yea, euen against the Lawes of God and Nature, women with childe were put to cruell death for their profession; and a liuing childe falling out of the mothers belly, was throwen in the same fire againe that consumed the mother. But these tyrannous persecutions were done by the Bishops of that time, vnder the warrant of the Popes authoritie; and therefore were not subiect to that constant order and formes of execution, which as they are heere established by our Lawes and customes, so are they accordingly obserued in the punishment of all criminals: For all Priestes and Popish Traitours here receiue their Iudgements in the temporall Courts, and so doe neuer exceed those formes of execution which are prescribed by the Law, or approved by continuall custome. One thing is also to bee marked in this case that strangers are neuer called in question here for their religion, which is farre otherwise (I hope) in any place where the *Inquisition* domines.

But hauing now too much wearied you with this long discourse, whereby I haue made you plainely see, that the wrong done vnto mee in particular first by the *Popes Breues*, and then by these Libellers, doth as deeply interest you all in generall, that are *Kings*, free *Princes*, or *States* as it doth me in particular: I will now conclude, with my humble prayers to God, that he will waken vs vp all out of that Lethargike slumber of Securitie, wherein our Predecessors and wee haue lien so long; and that wee may first grauely consider, what we are bound in conscience to doe for the planting and spreading of the trew worship of God, according to his reuealed will, in all our Dominions; therein hearing the voice of our onely Pastor (*for his Sheepe will know his Voyce*,<sup>1</sup> as himselfe sayeth) and not following the vaine, corrupt and changeable traditions of men. And next, that we may prouidently looke to the securitie of our owne States, and not suffer this incroching *Babylonian Monarch* to winne still ground vpon vs. And if God hath so mercifully dealt with vs, that are his Lieutenants vpon earth, as that he hath ioyned his cause with our interest, the spirituall libertie of the Gospell with our temporall freedome: with what zeale and courage may wee then imbrace this worke: for our labours herein being assured, to receiue at the last the eternall and inestimable reward of felicitie in the kingdome of Heauen; and in the meane time to procure vnto our selues a temporall fecuritie, in our temporall Kingdomes in this world.

<sup>1</sup> Iohn 10. 27.

As for so many of you as are already perswaded of that Trewth which I professe, though differing among your selues in some particular points; I thinke little perswasion should moue you to this holy and wise Resolution: Our Greatnesse, nor our number, praised bee God, being not so contemptible, but that wee may shew good example to our neighbors; since almost the halfe of all Christian people and of all sorts and degrees, are of our profession; I meane, all gone out of *Babylon*, euen from Kings and free Princes, to the meanest sort of People. But aboue all (my louing *Brethren* and *Cosins*) keepe fast the vnity of Faith among your selues; Reiect <sup>1</sup> questions of Genealogies and *Aniles fabulas*,<sup>2</sup> as *Paul* saith; Let not the foolish heate of your Preachers for idle Controuersies or indifferent things, teare asunder that Mysticall Body, whereof ye are a part, since the very coat of him whose members wee are was without a seame: And let not our diuision breed a slander of our faith, and be a word of reproch in the mouthes of our aduersaries, who make *Vnitie* to be one of the speciall notes of the trew Church.

And as for you (my louing *Bethren* and *Cosins*) whom it hath not yet pleased God to illuminate with the light of his trewth; I can but humbly pray with *Elizeus*, that it would please God to open your eyes, that yee might see what innumerable and inuincible armies of Angels are euer prepared and ready to defend the trewth of God: and with *S. Paul* <sup>3</sup> I wish, that ye were as I am in this case; especially that yee would search the Scriptures, and ground your Faith vpon your owne certaine knowledge, and not vpon the report of others; since euery *Man must bee safe by his owne faith*.<sup>4</sup> But, leauing this to God his mercifull prouidence in his due time, I haue good reason to remember you, to maintaine the ancient liberties of your Crownes and Common-wealthes, not suffering any vnder God to set himselfe vp aboue you; and therein to imitate your owne noble *predecessors*, who (euen in the dayes of greatest blindness) did diuers times courageously oppose themselues to the incroaching ambition of Popes. Yea, some of your Kingdomes haue in all aages maintained, and without any interruption enioyed your libertie, against the most ambitious Popes. And some haue of very late had an euident prooffe of the Popes ambitious aspiring ouer your Temporall power; wherein ye haue constantly maintained and defended your lawfull freedom, to your immortall honour. And therefore I heartily wish you all, to doe in this case the Office of godly and iust Kings and earthly Iudges: which consisteth not onely in not wronging or inuading the Liberties of any other person (for to that will I neuer presse to perswade you) but also in defending and maintaining these lawfull Liberties wherewith God hath indued you: For yee, whom God hath ordained to protect your people from iniuries, should be ashamed to suffer your selues to be wronged by any. And thus, assuring my selfe, that ye will with a settled Iudgement, free of preiudice, weigh the reasons of this my *Discourse*, and accept my plainnesse in good part, gracing this my *Apologie* with your fauours,

<sup>1</sup> 1. Tim. 1. 4.

<sup>2</sup> Ibid. c. 4. 7.

<sup>3</sup> Actes. 26. 29.

<sup>4</sup> Abac. 2. 4.



and yet no longer then till it shall be iustly and worthily refuted; I end, with my earnest prayers to the ALMIGHTIE for your prosperities, and that after your happie Temporall Raignes in earth, ye may liue and raigne in Heauen with him for euer.

A CATALOGVE OF THE LYES OF TORTVS, TOGETHER WITH A BRIEFE CONFUTATION OF THEM.

TORTVS. Edit. Politan. pag. 9.

*IN the Oath of Allegiance the Popes power to excommunicate euen Hereticall Kings, is expresly denied.*

CONFVTATION.

The point touching the Popes power in excommunicating Kings, is neither treated of, nor defined in the Oath of Allegiance, but was purposely declined. See the *wordes of the Oath*, and the *Præmonition*. pag. 292.

TORTVS. pag. 10.

2 *For all Catholike writers doe collect from the wordes of Christ, Whatsoever thou shalt loose vpon earth, shall be loosed in heauen, that there appertaineth to the Popes authoritie, not onely a power to absolue from sinnes, but also from penalties, Censures, Lawes, Vowes, and Oathes.*

CONFVTATION.

That all Roman Catholike writers doe not concurre with this Libeller, in thus collecting from CHRISTs wordes, *Matth. 16.* To omit other reasons, it may appeare by this that many of them doe write, that what CHRIST promised *there*, that hee did actually exhibite to his Disciples, *Iohn 20.* when hee said, *Whose sinnes ye remit, they shall be remitted*, thereby restraining this power of loosing formerly promised, vnto loosing from sinnes, not mentioning any absolution from Lawes, Vowes and Oathes in this place. So doe *Theophylact, Anselme, Hugo Cardin. & Ferus in Matth. 16.* So doe the principall Schoolemen, *Alexand. Hales in Summa. part. 4. q. 79. memb. 5. & 6. art. 3. Thom. in 4. dist. 24. q. 3. art. 2. Scotus in 4. dist. 19. art. 1. Pope Hadrian. 6. in 4. dist. q. 2. de clauib. pag. 302. edit. Parisien. anno 1530.* who also alledgeth for this interpretation, *Augustine* and the *interlinear Glosse*.

TORTVS. Pag. 18.

3 *I abhorre all Parricide, I detest all conspiracies: yet it cannot be denied but occasions of despaire were giuen [to the Powder-plotters.]*

CONFVTATION.

That it was not any iust occasion of despaire giuen to the Powder-Traitours, as this Libeller would beare vs in hand, but the instructions which they had from

the Iesuits, that caused them to attempt this bloody designe: See the *Premonition* pag. 291. & 335. and the booke intituled, *The proceedings against the late Traitors*.

TORTVS. Pag. 26.

4 *For not onely the Catholiques, but also the Caluinist puritanes detest the taking of this Oath.*

CONFVTATION.

The Puritanes doe not decline the Oath of Supremacie, but daily doe take it, neither euer refused it. And the same Supremacie is defended by *Caluin* himselfe, *Instit. lib. 4. cap. 20.*

TORTVS. Pag. 28.

5 *First of all the Pope writeth not, that he was griued at the calamities which the Catholikes did suffer for the keeping of the Orthodox faith in the time of the late Queene, or in the beginning of King Iames his reigne in England, but for the calamities which they suffer at this present time.*

CONFVTATION.

The onely recitall of the wordes of the Breue will sufficiently confute this Lye. For thus writeth the Pope, *The tribulations and calamities which ye haue continually susteined for the keeping of the Catholique faith, haue alway afflicted vs with great grieffe of minde. But for asmuch as we vnderstand, that at this time all things are more grieuous, our affliction hereby is wonderfully increased.*

TORTVS. Page. 28.

6 *In the first article [of the Statute] the Lawes of Queene Elizabeth are confirmed.*

CONFVTATION.

There is no mention at all made of confirming the Lawes of Queene *Elizabeth*, in the first article of that Statute.

TORTVS. Pag. 29.

7 *In the 10. Article [of the said Statute] it is added, that if the [Catholicks] refuse the third time to take the Oath being tendered vnto them, they shall incurre the danger of loosing their liues.*

CONFVTATION.

There is no mention in this whole Statute either of offering the Oath the third time, or any indangering of their liues.

TORTVS. Pag. 30.

8 *In the 12. Article, it is enacted, that whosoever goeth out of the land to serue in the warres vnder forreine Princes, they shall first of all take this Oath, or els be accounted for Traitors.*



## CONFVTATION.

It is no where said in that Statute, that they which shall thus serue in the warres vnder forraine Princes, before they haue taken this Oath, shall be accounted for Traitors, but onely for Felons.

TORTVS. Pag. 35.

9 *Wee haue already declared, that the [Popes] Apostolique power in binding and loosing is denied in that [Oath of Alleageance.]*

## CONFVTATION.

There is no Assertory sentence in that Oath, nor any word but onely conditionall, touching the power of the Pope in binding and loosing.

TORTVS. Pag. 37.

10 *The Popes themselues, euen will they, nill they, were constrained to subiect themselues to Nero and Diocletian.*

## CONFVTATION.

That Christians without exception, not vpon constraint but willingly and for conscience sake, did subiect themselues to the Ethnicke Emperors, it may appeare by our *Apologie*, pag. 255, 256. and the *Apologetickes* of the ancient Fathers.

TORTVS. Pag. 47.

11 *In which words [of the Breues of Clement the 8.] not onely Iames King of Scotland, was not excluded, but included rather.*

## CONFVTATION.

If the *Breues* [of *Clement*] did not exclude mee from the Kingdome, but rather did include me, why did *Garnet* burne them? why would he not reserue them that I might haue seene them, that so hee might haue obtained more fauour at my hands for him and his Catholikes?

TORTVS. Pag. 60.

12 *Of those 14. Articles [contained in the Oath of Alleagiance] cleuen of them concerne the Primacie of the Pope in matters Spirituall.*

## CONFVTATION.

No one Article of that Oath doeth meddle with the *Primacie* of the *Pope* in matter Spirituall: for to what end should that haue bene, since we haue an expresse Oath elsewhere against the *Popes Primacie* in matters Spirituall?

TORTVS. Pag. 64.

13 *Amongst other calumnies this is mentioned, that Bellarmine was priuie to sundry conspiracies against Q. Elizabeth, if not the author.*

## CONFVTATION.

It is no where said [in the *Apologie*] that *Bellarmino* was either the Authour, or priuie to any conspiracies against Queene *Elizabeth*; but that he was their principall instructor and teacher, who corrupted their iudgement with such dangerous positions and principles, that it was an easie matter to reduce the generals into particulars, and to apply the dictates which hee gaue out of his chaire, as opportunitie serued, to their seuerall designes.

TORTVS. Pag. 64.

14 *For he [Bellarmino] knoweth, that Campian onely conspired against Hereticall impietie.*

## CONFVTATION.

That the trew and proper cause of *Campians* excution, was not for his conspiring against Hereticall impietie, but for conspiring against Queene *Elizabeth* and the State of this Kingdome, it was most euident by the iudiciall proceedings against him.

TORTVS. Pag. 65.

15 *Why was H. Garnet, a man incomparable for learning in all kindes, and holinesse of life, put to death, but because he would not reueale that which he could not doe with a safe conscience.*

## CONFVTATION.

That *Garnet* came to the knowledge of this horrible Plot not onely in confession as this Libeller would haue it, but by other meanes, neither by the relation of one alone, but by diuers, so as hee might with safe conscience haue disclosed it; See the *Premonition*, pag. 334, 335, &c. and the Earle of *Northhamptons* booke.

TORTVS. Pag. 71.

16 *Pope Sixtus 5. neither commanded the French King to bee murdered, neither approoued that fact, as it was done by a priuate person.*

## CONFVTATION.

The falsehood of this doeth easily appeare by the Oration of *Sixtus 5.*

TORTVS. Pag. 91.

17 *That which is added concerning Stanley his Treason, is neither faithfully nor trewly related: for the Apologer (as his manner is) doeth miserably deprauie it, by adding many lyes.*

## CONFVTATION.

That which the *Apologie* relateth concerning *Stanley* his Treason, is word for word recited out of Cardinall *Allens* Apologie for *Stanleys* treason: as it is to be seene there.



## TORTVS. Pag. 93.

18 *It is very certaine that H. Garnet at his arraignment, did alwayes constantly auouch, that neither hee nor any Iesuite either were authors, or compartners, or advisers, or consenting any way [to the Powder-Treason.] And a little after. The same thing hee protested at his death in a large speach, in the presence of innumerable people.*

## CONFVTATION.

The booke of the proceedings against the late Traitors, and our *Premonition*, pag. 334, 335, &c. doe clearely prooue the contrary of this to bee trew.

## TORTVS. Pag. 97.

19 *King Iames since he is no Catholike, neither is he a Christian.*

## CONFVTATION.

Contrary: I am a trew Catholike, a professor of the trewly ancient, Catholike, and Apostolike Faith: and therefore am a trew Christian. See the confession of my faith in the *Premonition*, pag. 302, 303. &c.

## TORTVS. Pag. 98.

20 *And if the reports of them which knew him most inwardly, be trew, when hee was in Scotland, he was a Puritane, and an enemie to Protestants: Now in England he professeth himselfe a Protestant, and an enemie to the Puritans.*

## CONFVTATION.

Contrary; and what a Puritane I was in Scotland: See my ΒΑΣΙΛΙΚΟΝ ΔΩΡΟΝ and this my *Premonition*, pag. 305, 306.

# HIS FALSIFICATIONS IN HIS ALLEDGING OF HISTORIES, TOGETHER WITH A BRIEFE DECLARATION OF THEIR FALSHOOD

## THE WORDS OF TORTVS. Pag. 70.

*It was certaine that he [Henry 4. the Emperour] died a naturall death.*

## CONFVTATION.

It was not certaine: since sundry Historians write otherwise, that he died vpon his imprisonment by his sonne Henry 5. either with the noysomnesse and loathsomnesse of the prison, or being pined to death by hunger. Read *Fasciculus temporum* at the yeere 1094. *Laziardus epitom. vniuersal. Histor. c. 198. Paulus Langius in Chronico Citizensi* at the yeere 1105. and *Iacobus Wimphelingus epitome Rerum Germanic. c. 28.*

## TORTVS. Pag. 83.

2 Henry 4. *The Emperour feared indeed, but not any corporall death, but the censure of Excommunication, from the which that he might procure absolution, of his owne accord, he did thus demissely humble himselfe [before Gregory 7.]*

## CONFVTATION.

That Henry 4. thus deiected himselfe before the Pope, it was neither of his owne accord, neither vpon any feare of the Popes Excommunication, which [in this particular] hee esteemed of no force, but vpon feare of the losse of his Kingdome and life, as the records of antiquitie doe euidently testifie. See *Lambertus Schafnaburg.* at the yeere 1077. *Abbas Vrspergen.* at the yeere 1075. The Author of the life of Henry 4. *Bruno* in his History of the Saxon warre. *Laziard.* in epitom. vniuersal. *Histor. c.* 193. *Cuspinian.* in Henr. 4. *Sigonius de Regno Italiae lib.* 9.

## TORTVS. Pag. 83.

3 *The trewth of the History [of Alexander 3. treading vpon the necke of Fredericke Barbarossa with his foot] may be iustly doubted of.*

## CONFVTATION.

But no Historian doubteth of it; and many do auouch it, as *Hieronym. Bard. in victor. Naual. ex Bessarion. Chronico apud Baron. ad an.* 1177. num. 5. *Gerson de potestate Ecclesiae consid.* 11. *Iacob Bergom. in supplem. Chronic. ad an.* 1160. *Naclerus Gener.* 40 *Petrus Iustinian. lib.* 2. *Rerum Venetar. Papirius Masson. lib.* 5. *de Episcop. urbis.* who alledgeth for this *Gennadius* Patriarch of Constantinople. Besides *Alphonsus Ciacconius de vit. Pontif. in Alexand.* 3. and *Azorius* the Iesuite: *Instit. Moral. part. lib.* 5. c. 43.

## TORTVS. Pag. 83.

4 What other thing feared *Frederick Barbarossa* but excommunication ?

## CONFVTATION.

That *Frederick* feared onely Pope *Alexander* his Excommunication, no ancient Historian doth testifie. But many do write, that this submission of his was principally for feare of loosing his Empire and Dominions. See for this, *Martin Polon. ad an.* 1166. *Platina in vita Alexan.* 3 *Laziard. in epitom. Historiae vniuersal. c.* 212. *Nacler. Generat* 40. *Iacobus Wimpelingus in epitom. Rerum Germanic. c.* 32.

## TORTVS. Pag. 88.

5 *Adde heereunto, that Cuspinian. [in relating the history of the Turkes brother who was poysoned by Alexander 6.] hath not the consent of other writers to witnesse the trewth of this History.*



## CONFUTATION.

The same History, which is reported by *Cuspinian*, is recorded also by sundry other famous Historians. See *Francis Guicciardin. lib. 2. Histor. Ital. Paulus Iovius lib. 2. Hist. sui temporis. Sabellic. Ennead. 10. lib. 9. Continuator Palmerij*, at the yeere. 1494.

THE NOVEL DOCTRINES, WITH A BRIEFE DECLARATION OF  
THEIR NOUELTIE.

## NOVEL DOCTRINE. Pag. 9.

It is agreed vpon amongst all, that the Pope may lawfully depose Hereticall Princes and free their Subiects from yeelding obedience vnto them.

## CONFUTATION.

Nay, *all* are so farre from consenting in this point, that it may much more trewly be auouched, that *none* entertained that conceit before *Hildebrand*: since he was the first brocher of this new doctrine neuer before heard of, as many learned men of that aage, and the aage next following (to omit others of succeeding aages) haue expresly testified. See for this point, the Epistle of the whole Clergie of *Liege* to Pope *Paschal* the second. See the iudgement of many Bishops of those times, recorded by *Auentine* in his historie, *lib. 5, fol. 579*. Also the speech vttered by *Conrade* bishop of *Vtretcht*, in the said fifth booke of *Auentine*, *fol. 582*. And another by *Eberhardus*, Archbishop of *Saltzburge*. *Ibid. lib. 7, p. 684*. Also the iudgement of the Archbishop of *Triers*, in *constitut. Imperialib. à M. Haimensfeldio editis. pag. 47*. The Epistle of *Walthram* Bishop of *Megburgh* which is extant in *Dodechine* his Appendix to the Chronicle of *Marianus Scotus*, at the yeere 1090. *Benno* in the life of *Hildebrand*. The author of the booke *De vnitae Ecclesiæ*, or the *Apologie* for *Henry* the fourth. *Sigebert* in his Chronicle, at the yeere 1088. *Godfrey* of *Viterbio* in his History entituled *Pantheon*, *part. 17. Ottho Frisingensis, lib. 6. c. 35. & præfat. in lib. 7. Frederick Barbarossa. lib. 6. Gunther. Ligurin. de gestis Frederici. and lib. 1. c. 10. of Raduicus de gestis eiusdem Frederici. Vincentius in speculo historiali lib. 15. c. 84.* with sundry others.

## NOVEL DOCTRINE. Pag. 51.

2 In our supernaturall birth in Baptisme wee are to conceiue of a secret and implied oath, which we take at our new birth, to yeeld obedience to the spiritual Prince, which is Christes Vicar.

## CONFUTATION.

It is to bee wondered at, whence this fellow had this strange new Diuinitie, which surely was first framed in his owne fantastickall braine. Else let him make

vs a Catalogue of his Authors, that hold and teach, that all Christians, whether infants or of aage, are by vertue of an oath taken in their Baptisme, bound to yeeld absolute obedience to CHRISTs Vicar the Pope, or baptized in any but in CHRIST.

## NOVEL DOCTRINE. Pag. 94.

3 *But since that Catholike doctrine doeth not permit for the auoidance of any mischiefe whatsoever, to discover the secret of Sacramentall confession, he [Garnet] rather chose to suffer most bitter death, then to violate the seale of so great a Sacrament.*

## CONFVTATION.

That the secret of Sacramentall confession is by no meanes to bee disclosed, no not indirectly, or in generall, so the person confessing bee concealed, for auoydance and preuention of no mischiefe, how great soeuer: Besides that it is a position most dangerous to all Princes and Common-wealths, as I shew in my *Præmonition*, pag. 333, 334. It is also a Nouell Assertion, not heard of till of late dayes in the Christian world: Since the common opinion euen of the Schoolemen and Canonists both old and new, is vnto the contrary; witnesse these Authors following: *Alexander Hales part. 4. qu. 78. mem. 2. art. 2. Thom. 4. dist. 21. qu. 3. art. 1. ad. 1. Scotus in 4. dist. 21. qu. 2. Hadrian. 6. in 4. dist. vbi de Sacramen. Confes. edit. Paris. 1530. pag. 289. Dominic. Sot. in 4. dist. 18. q. 4. art. 5. Francis. de victor. summ. de Sacram. n. 189. Nauar. in Enchirid. c. 8. Ioseph. Angles in Florib. part 1. pag. 247. edit. Antuerp. Petrus Soto lect. 11. de confess. The Iesuites also accord hereunto, Suarez. Tom. 4. disp. in 3. part. Thom. disp. 33. § 3. Gregor. de Valentia. Tom. 4. disp. 7. q. 13. punct. 3. who saith the common opinion of the Schoolemen is so.*

## NOVEL DOCTRINE. Pag. 102.

4 *I dare boldly auow, that the Catholikes haue better reason to refuse the Oath [of Allegiance] then Eleazar had to refuse the eating of Swines flesh.*

## CONFVTATION.

This assertion implieth a strange doctrine indeed, that the Popes *Breues* are to be preferred before Moses Law: And that Papists are more bound to obey the Popes decree, then the Iewes were to obey the Law of God pronounced by Moses.

## NOVEL DOCTRINE. Pag. 135.

5 *Churchmen are exempted from the Iurisdiction of secular Princes, and therefore are no subiects to Kings: yet ought they to obserue their Lawes concerning matters temporall, not by vertue of any Law, but by enforcement of reason, that is to say, not for that they are their Subiects, but because reason will giue it, that such Lawes are to be kept for the publike good, and the quiet of the Common-wealth.*



## CONFUTATION.

How trew friends the Cardinall and his Chaplen are to Kings that would haue so many Subiects exempted from their power: See my *Præmonition*, Pag. 296, 297. Also, Pag. 330, 331. &c. But as for this and the like new *Aphorismes*, I would haue these cunning Merchants to cease to vent such stuffe for ancient and Catholikes wares in the Christian world, till they haue disprooued their owne *Venetians*, who charge them with Noueltie and forgerie in this point.

A REMONSTRANCE FOR THE RIGHT OF KINGS, AND THE  
INDEPENDANCE OF THEIR CROWNES,  
AGAINST AN ORATION OR THE MOST ILLVSTRIOVS CARD.  
OF PERRON, PRONOVNCED IN THE CHAMBER OF  
THE THIRD ESTATE.

IAN. 15. 1615.

THE PREFACE.

**I** HAVE no humour to play the Curious in a forraine Commonwealth, or, vnrequested, to carry any hand in my neighbours affaires. It hath more congruitie with Royall dignitie, whereof God hath giuen mee the honour, to prescribe Lawes at home for my Subiects, rather then to furnish forraine Kingdomes and people with counsels. Howbeit, my late entire affection to K. Henry IV. of happy memorie, my most honoured brother, and my exceeding sorrow for the most detestable parricide acted vpon the sacred person of a King, so complete in all heroicall and Princely vertues; as also the remembrance of my owne dangers, incurred by the practise of conspiracies flowing from the same source, hath wrought mee to sympathize with my friends in their grievous occurrents: no doubt so much more dangerous, as they are lesse apprehended and left of Kings themselues, euen when the danger hangeth ouer their owne heads. Vpon whom, in case the power and vertue of my aduertisements be not able effectually to worke, at least many millions of children and people yet vnborne, shall beare me witnesse, that in these dangers of the highest nature and straine, I haue not bene defectiue: and that neither the subuersions of States, nor the murthers of Kings, which may unhappily betide hereafter, shall haue so free passage in the world for want of timely aduertisement before. For touching my particular, my rest is vp, that one of the maynes for which God hath aduanced me vpon the loftie stage of the supreme Throne, is, that my words vttered from so eminent a place for Gods honour, most shamefully traduced and vilified in his owne Deputies and Lieutenants, might with greater facilitie be conceiued.

Now touching France, faire was the hope which I conceiued of the States assembled in Parliament at Paris: That calling to minde the murthers of their Noble Kings, and the warres of the League which followed the Popes fulminations, as when a great storme of haile powerth downe after a Thunder-cracke, and a world of writings addressed to iustifie the parricides, and the dethronings of kings, they would haue ioyned heads, hearts & hands together, to hammer out some apt and wholesome remedy against so many fearefull attempts and practises. To my hope was added no little ioy, when I was giuen to vnderstand the third Estate had preferred an Article or Bill, the tenor and substance whereof was concerning the means whereby the people



*might bee unwitched of this pernicious opinion; That Popes may tosse the French King his Throne like a tennis ball, and that killing of Kings is an acte meritorious to the purchase of the crowne of Martyrdome. But in fine, the proiect was encountered with successe cleane contrary to Expectation. For this Article of the third Estate, like a sigh of libertie breathing her last, served only so much the more to inthrall the Crowne, and to make the bondage more grievous and sensible then before. Euen as those medicines which worke no ease to the patient, doe leaue the disease in much worse tearmes: so this remedy inuented and tendred by the third Estate, did onely exasperate the present malady of the State; for so much as the operation and vertue of the wholesome remedy was ouermatched with peccant humours, then stirred by the force of thwarting and crossing opposition. Yea much better had it bene, the matter had not bene stirred at all, then after it was once on foot and in motion, to give the Trewth leaue to lye gasping and sprawling vnder the violence of a forraine faction. For the opinion by which the Crownes of Kings are made subiect vnto the Popes will and power, was then auowed in a most Honourable Assembly, by the auerment of a Prelate in great authoritie, and of no lesse learning: He did not plead the cause as a priuate person, but as one by representation that stood for the whole body of the Clergie; was there applauded, and seconded with approbation of the Nobilitie; no resolution taken to the contrary, or in barre to his plea. After praises and thanks from the Pope, followed the printing of his eloquent harangue or Oration, made in full Parliament: a set discourse, maintaining Kings to be deposeable by the Pope, if he speake the word. The said Oration was not onely Printed with the Kings priuiledge, but was likewise addressed to mee by the Author and Orator himselfe; who presupposed the reading thereof would forsooth driue me to say, Lord Cardinall, in this high subiect your Honour hath satisfied me to the full. All this poysed in the ballance of equall iudgement, why may not I trewly and freely affirme, the said Estates assembled in Parliament, haue set Royall Maiestie vpon a doubtfull chance, or left it resting vpon vncertaine tearmes: and that now if the doctrine there maintained by the Clergie should beare any pawme, it may lawfully be doubted, who is King in France? For I make no question, hee is but a titular King that raigneth onely at an others discretion, and whose Princely head the Pope hath power to bare of his Regall Crowne. In temporall matters, how can one be Soueraigne, that may be fleeced of all his Temporalities by any superior power? But let men at a neere sight marke the pith and marrow of the Article proposed by the third Estate, and they shall soone perceiue the skilfull Architects thereof aymed onely to make their King a trew and reall King, to bee recognised for Soueraigne within his owne Realme, and that killing their King might no longer passe the muster of workes acceptable to God.*

*But by the vehement instance and strong current of the Clergie and Nobles, this was borne downe as a pernicious Article, as a cause of Schisme, as a gate which openeth to all sorts of Heresies: yea, there it was maintained tooth and naile, that in case the doctrine of this Article might goe for currant doctrine, it must follow, that for many aages past in sequence, the Church hath beene the kingdome of Antichrist, and*

*the synagogue of Satan. The Pope vpon so good issue of the cause, had reason, I trow, to addresse his Letters of triumph vnto the Nobilitie and Clergie, who had so farre approoued themselues faithfull to his Holinesse; and to vaunt withall, that hee had nipped Christian Kings in the Crowne, that hee had giuen them checke with mate, through the magnanimous resolution of this courageous Nobilitie, by whose braue making head, the third Estate had beene so valiantly forced to give ground. In a scornefull reproach hee qualified the Deputies of the third Estate, nebulones ex fœce plebis,<sup>1</sup> a sort or a number of knaues, the very dregges of the base vulgar, a packe of people, presuming to personate well affected Subiects, and men of deepe vnderstanding, and to reade their masters a learned Lecture. Now it is no wonder, that, in so good an office and loyall cariage towards their King, the third Estate hath outgone the Clergie. For the Clergie denie themselues to haue any ranke among the Subiects of the King: they stand for a Soueraigne out of the Kingdome, to whom as to the Lord Paramount they owe suite and seruice: they are bound to aduance that Monarchie, to the bodie whereof they properly appertaine as parts or members, as elsewhere I have written more at large. But for the Nobilitie, the Kings right arme, to prostitute and set as it were to sale the dignitie of their King, as if the arme should giue a thrust vnto the head; I say for the Nobilitie to hold and maintaine euen in Parliament, their King is liable to deposition by any forreine power or Potentate, may it not passe among the strangest miracles and rarest wonders of the world? For that once granted, this consequence is good and necessarie; That in case the King, once lawfully deposed, shall stand vpon the defensiuie, and hold out for his right, he may then lawfully be murthered. Let mee then here freely professe my opinion, and this it is: That now the French Nobilitie may seeme to haue some reason to disrobe themselues of their titles, and to transerre them by resignation vnto the third Estate. For that body of that third Estate alone hath caried a right noble heart: in as much as they could neither be tickled with promises, nor terrified by threatnings, from resolute standing to those fundamentall points and reasons of State, which most concerne the honour of their King, and the securitie of his person.*

*Of all the Clergie, the man that hath most abandoned, or set his honour to sale, the man to whom France is least obliged, is the Lord Cardinall of Perron: a man otherwise inferiour to few in matter of learning, and in the grace of a sweete style. This man in two seuerall Orations, whereof the one was pronounced before the Nobilitie, the other had audience before the third Estate, hath set his best wits on worke, to draw that doctrine into all hatred and infamie, which teacheth Kings to be indeposeable by the Pope. To this purpose hee termes the same doctrine, a breeder of Schismes, a gate that openeth to make way, and to giue entrance vnto all heresies; in brieffe, a doctrine to bee held in so high a degree of detestation, that rather then he and his fellow-Bishops will yeeld to the signing thereof, they will bee contented like Martyrs to burne at a stake. At which resolution, or obstinacie rather in his opinion, I am in a*

<sup>1</sup> I haue receiued aduertisement from diuers parts, that in the Popes letters to the Nobitie these wordes were extant, howsoever they haue bin left out in the impression, & rased out of the copies of the said letters.



*manner amased, more then I can be mooued for the like brauado in many other: forasmuch as hee was many yeeres together, a follower of the late King, euen when the King followed a contrary Religion, and was deposed by the Pope: as also because not long before, in a certaine Assemblie holden at the Iacobins in Paris, hee withstood the Popes Nuntio to his face, when the said Nuntio laboured to make this doctrine, touching the Popes temporall Soueraigntie, passe for an Article of Faith. But in both Orations, hee singeth a contrary song, and from his owne mouth passeth sentence of condemnation against his former course and profession. I suppose, not without sollide iudgement; as one that heerein hath well accommodated himself to the times: For as in the reigne of the late King, hee durst not offer to broach this doctrine (such was his fore-wit;) so now he is bold to proclaime and publish it in Parliament vnder the reigne of the said Kings sonne; whose tender yeeres and late succession to the Crowne, doe make him lie the more open to iniuries, and the more facill-to be circumvented: Such is now his afterwisdom.*

*Of these two Orations, that made in presence of the Nobilitie he hath, for feare of incurring the Popes displeasure, cautelously suppressed. For therein he hath beene somewhat prodigall in affirming this doctrine maintained by the Clergie, to bee but problematicall; and in taking vpon him to auouch, that Catholikes of my Kingdome are bound to yeeld me the honour of obedience: Whereas on the other side, he is not ignorant, how this doctrine of deposing Princes and Kings, the Pope holdeth for meere necessarie, and approoueth not by any means Alleagiance to bee performed vnto mee by the Catholikes of my Kingdome. Yea if credit may be giuen vnto the abridgement of his other Oration published, wherein he paralels the Popes power in receiuing honours in the name of the Church, with the power of the Venetian Duke in receiuing honours in the name of that most renowned Republike; no marueile that when this Oration was dispatched to the presse, he commanded the same to be gelded of this clause and other like, for feare of giuing his Holinesse any offensive distaste.*

*His pleasure therefore was, and content withall, that his Oration imparted to the third Estate, should be put in Print, and of his courtesie he vouchsafed to addresse vnto me a copie of the same. Which after I had perused, I foorthwith well perceiued, what and how great discrepance there is betweene one man that perorateth from the ingenuous and sincere disposition of a sound heart, and an other that flaunteth in flourishing speech with inward checkes of his owne conscience: For euery where he contradicts himselfe, and seemes to be afraid lest men should picke out his right meaning.*

*First, he grants this Question is not hitherto decided by the holy Scriptures, or by the Decrees of the ancient Church, or by the analogie of other Ecclesiasticall proceedings: and neuertheless hee confidently doeth affirme, that whosoever maintaine this doctrine to be wicked and abhominable, that Popes haue no power to put Kings by their supream Thrones, they teach men to beleue, there hath not bene any Church for many aages past, and that indeed the Church is the very Synagogue of Antichrist.<sup>1</sup>*

<sup>1</sup> In 12. seuerall passages the L. Card. seemeth to speake against his owne conscience. Pag. 85.

Secondly, he exhorts his hearers to hold this doctrine at least for *problematicall*, and not necessary: and yet herein he calls them to all humble submission vnto the iudgement of the Pope and Clergie, by whom the cause hath bene already put out of all question, as out of all hunger and cold.

Thirdly, he doeth auerre, in case this Article be authorized, it makes the Pope in good consequence to bee the Antichrist: and yet he grants that many of the French are tolerated by the Pope to dissent in this point from his Holinesse;<sup>1</sup> provided, their doctrine be not proposed as necessary, and materiall to faith; As if the Pope in any sort gaue toleration to hold any doctrine contrary to his owne, and most of all that doctrine which by consequence inferres himselfe to be the Antichrist.

Fourthly, he protesteth forwardnesse to vndergoe the flames of Martyrdome, rather then to signe this doctrine, which teacheth Kings Crownes to sit faster on their heads, then to be stirred by any Papal power whatsoever: and yet saith withal, the Pope winketh at the French, by his toleration to hold this dogmaticall point for *problematicall*. And by this meanes, the Martyrdome that hee affecteth in this cause, will prooue but a *problematicall* Martyrdome, whereof question might grow very well, whether it were to be mustered with grievous crimes, or with phreneticall passions of the braine, or with deserued punishments.

Fifthly, he denounceth Anathema, dischargeth maledictions like haile-shot, against parricides of Kings: and yet elsewhere hee layes himselfe open to speake of Kings onely so long as they stand Kings. But who doeth not know that a King deposed is no longer King? And so that limme of Satan, which murdered Henry the III. then vn-king'd by the Pope, did not stabbe a King to death.

Sixtly, he doeth not allow a King to be made away by murder: and yet he thinks it not much out of the way, to take away al meanes whereby he might be able to stand in defence of his life.

Seuenthly, hee abhorreth killing of Kings by apposted throat-cutting, for feare lest body and soule should perish in the same instant: and yet he doth not mislike their killing in a pitcht field, and to haue them slaughtered in a set battaile: For he presupposeth, no doubt out of his charitable mind, that by this meanes the soule of a poore King so dispatched out of the way, shall instantly flie vp to heauen.<sup>2</sup>

Eightly, he saith a King deposed, retaineth stil a certaine internal habitude and politike impression, by vertue and efficacie whereof he may, being once reformed and become a new man, he restored to the lawfull vse and practise of Regalitie. Whereby hee would beare vs in hand, that when a forraine Prince hath inuaded and rauenously seised the kingdome into his hands, he will not onely take pittie of his predecessour to saue his life, but will also proue so kindhearted, vpon sight of his repentance, to restore his kingdome without fraud or guile.

Ninthly, he saith euery where in his Discourse, that he dealeth not in the cause, otherwise then as a *problematicall* discourser, and without any resolution one way or other: and yet with might and maine hee contends for the opinion, that leaues the

<sup>1</sup> Pag. 99.

<sup>2</sup> Pag. 95. 97.



*States and Crownes of Kings controulable by the Pope: refutes obiections, propounds the authoritie of Popes and Councils, by name the Lateran Council vnder Innocent. III. as also the consent of the Church. And to crosse the Churches iudgement, is, in his opinion to bring in schisme, and to leave the world without a Church for many hundred yeeres together: which (to my vnderstanding) is to speake with resolution, and without all hesitation.*

*Tenthly, he acknowledgeth none other cause of sufficient validitie for the deposing of a King, besides heresie, apostasie, and infidelitie: neuerthelesse that Popes haue power to displace Kings for heresie and apostasie, hee proueth by examples of Kings whom the Pope hath curbed with deposition, not for heresie, but for matrimoniall causes, for ciuill pretences, and for lacke of capacitie.*

*Eleuenthly, hee alledgeth euerywhere passages, as well of holy Scripture, as of the Fathers and moderne histories; but so impertinent, and with so little trewth, as hereafter wee shall cause to appeare, that for a man of his deepe learning and knowledge, it seemeth not possible so to speake out of his iudgement.*

*Lastly, whereas all this hath bene hudled and heaped together into one masse, to currie with the Pope: yet hee suffereth diuers points to fall from his lips, which may well distast his Holinesse in the highest degree. As by name, where he prefers the authoritie of the Council before that of the Pope, and makes his iudgement inferiour to the iudgement of the French; as in fit place hereafter shalbe shewed. Againe, where he representeth to his hearers the decrees of Popes and Councils already passed concerning this noble subiect; and yet affirms that he doth not debate the question, but as a Questionist, and without resolution: As if a Cardinal should be afraid to be positieue, and to speake in peremptory straines, after Popes and Councils haue once decided the Question: Or as if a man should perorate vpon hazard, in a cause for the honour whereof, he would make no difficultie to suffer Martyrdome. Adde hereunto, that his Lordship hath alwayes taken the contrary part heretofore, and this totall must needs arose, that before the third Estate, his lips looked one way, and his conscience another.*

*All these points, by the discourse which is to follow, and by the ripping vp of his Oration (which by Gods assistance I will vndertake) tending to the reproch of Kings, and the subuersion of kingdomes, I confidently speake it, shalbe made manifest. Yet doe I not conceiue it can any way make for my honour, to enter the lists against a Cardinall: For I am not ignorant how farre a Cardinals Hat, commeth vnder the Crowne and Scepter of a King; For well I wot vnto what sublimitie the Scripture hath exalted Kings, when it styles them Gods; Whereas the dignitie of a Cardinall is but a late vpstart inuention of man; as I haue elsewhere prooued.<sup>1</sup> But I have imbarqued my selfe in this action, mooued thereunto: First, by the common interest of Kings in the cause it selfe: Then by the L. Cardinall, who speaketh not in this Oration as a priuate person, but as one representing the body of the Clergie and Nobilitie by whom the cause hath bene wonne, and the garland borne away from the third Estate:*

<sup>1</sup> In the Preface to my Apologie.

Againe, by mine owne particular; because he is pleased to take me vp for a sower of dissention, and a persecutour, vnder whom the Church is hardly able to fetch her breath; yea, for one by whom the Catholikes of my Kingdome are compelled to endure all sorts of punishments; and withal he tearmes this Article of the third Estate, a monster with a fishes taile that came swimming out of England: Last of all, by the present state of France; because France being now reduced to so miserable tearmes, that it is now become a crime for a Frenchman to stand for his King; it is a necessary duetie of her neighbours to speak in her cause, and to make triall whether they can put life into the trweth now dying, and ready to be buried by the power of violence, that it may resound and ring againe from remote regions.

I haue no purpose once to touch many prettie toyes which the ridges of his whole booke are sown withall: Such are his allegations of Pericles, Agesilaus, Aristotle, Minos, the Druides, the French Ladies, Hannibal, Pindarus, and Poeticall fables: All resembling the red and blew flowers that pester the corne when it standeth in the fields, where they are more noysome to the growing crop, then beautifull to the beholding eye. Such pettie matters, nothing at all beseemed the dignitie of the Assembly and of the maine subiect, or of the Orator himselfe: For it was no Decorum to enter the Stage with a Pericles in his mouth, but with the sacred Name of God; nor should hee haue marshalled the passage of a Royall Poet, after the example of an heathen Oratour.

Neither will I giue any touch to his conceit of the Romane conquests, which the L. Cardinall<sup>1</sup> bestoweth in the list of Gods graces and temporall blessings, as a recompence of their zeale to the seruice and worship of Idols: As if God were a recompencer of wickednes, or as if the forcible ejecting of Tenants out of their farmes and other possessions, might be reckoned among the blessings of God.

Nor to that of the Milesian Virgins, dragged stark-naked after they were dead; which the L. Cardinall drawes into his discourse for an example of the eternall torments denounced by the Lawes Ecclesiasticall, to be inflicted after this life.<sup>2</sup>

Nor to his exposition of the word Problematicall;<sup>3</sup> where he giueth to vnderstand that by Problematicall, hee meaneth such things as are of no necessitie to matter of faith; and in case men shall beleue the contradictory of the said points, they are not bound for such beleefe, to vndergoe the solemne curse of the Church, and the losse of communion: Whereas Aristotle,<sup>4</sup> of whom all Schooles haue borrowed their tearmes, hath taught vs that euery proposition is called a Probleme, when it is propounded in a formall doubt, though in its proper nature it containes a necessary trweth, concerning the matter thereof; As for example, to say in forme of question, Whether is there but one God? or, Whether is man a creature indued with reason? By which examples it is plaine, that propositions in problematicall forme, doe not forgoe the necessitie of their nature; and that many times the contradictory

<sup>1</sup> Pag. 4.

<sup>2</sup> Pag. 7. & 8.

<sup>3</sup> Pag. 13.

<sup>4</sup> Aristot. 1. top. cap. 4. [3.] πρότασις καὶ πρόβλημα, sound both one thing, Ἀπὸ πάσης γὰρ προτάσεως πρόβλημα ποιήσεις, provided the word πρότερον or vtrūm, do stand before, as, Vtrūm homo sit animal.



*binds the belecuers thereof to Anathema and losse of communion. There is a confused heape or bundle of other like toyes, which my purpose is to passe ouer in silence, that I may now come to cast anchor, as it were in the very bottome and substance of the cause.*

A REMONSTRANCE FOR THE RIGHT OF KINGS, AND THE INDEPENDANCE OF THEIR CROWNES. AGAINST AN ORATION OF THE MOST ILLUSTRIOUS CARDINALL OF PERRON, PRONOUNCED IN THE CHAMBER OF THE THIRD ESTATE.

THE 15. OF IANUAR. 1615.

THE L. Cardinall euen in the first passage of his Oration, hath laid a firme foundation, *That Ecclesiastics in France are more deeply obliged to the King, then the Nobilitie, and third Estate:* His reason; Because the Clergie doe sweetly enioy their dignities and promotions, with all their infinite wealth, of the Kings meere grace, without all danger, and with faire immunities; whereas the other two Orders hold their offices by a chargeable and burdensome title or tenure, euen to the great expence of their blood, and of their substance. But see now, how loose and weake a frame he hath erected and pinned together, vpon his firme and solide foundation: *Ergo*, the third Estate is to lay all care to prouide remedies against apposted cut-throats, vpon the Clergie; and the said remedies (as he boldly affirms) must be deriued from the laws of conscience, which may carry an effectual acting or operatiue efficacie vpon the soule, and not from ciuil or temporall punishments. Now this consequence limpeth like a lame creple after the premises: For it is no vsuall and common matter, to see men that are deepest in obligation, performe their duties and couenants with most fidelity. Againe, were it graunted the Clergie had well hitherto demonstrated their carefull watching ouer the life and honour of their Prince; yet is it not for spirituall punishments thundered by Ecclesiastics, to bind the hands of the ciuill Magistrate, nor to stop the current of temporall punishments: which ordinarily doe carrie a greater force and vertue to the bridling of the wicked, then the apprehension of Gods iudgement.

The third Estate therefore, by whom all the officers of France are properly represented, as to whom the administration of iustice and protection of the Kings rights and Honour doth appertaine, can deserue no blame in carrying so watchfull an eye, by their wholesome remedie to prouide for the safetie of the King, and for the dignitie of his Crowne. For if the Clergie shall not stand to their tackle, but shrink when it commeth to the push of their duetie; who shall charge themselves with carefull foresight and preuention of mischiefes? Shall not the people? Now, haue not all the calamities, which the third Estate haue sought prouidently to preuent; haue they not all sprung from the Clergie, as from their proper and naturall fountaine? From whence did the last ciuill warres, wherein a world of

blood was not more profusely then prodigiously and vnnaturally spilt, and wherein the parricide of King *Henrie III.* was impiously and abominably committed; from whence did those bloodie warres proceed, but from the deposing of the said King by the Head of the Church? Were they not Prelats, Curats, and Confessours; were they not Ecclesiastics, who partly by seditious preachments, and partly by secret confessions, powred many a iarre of oyle vpon this flame? Was not he that killed the forenamed King, was not he one of the Clergie? Was not *Guignard* a Iesuite? Was not *Iohn Chastel* brought vp in the same schoole? Did not *Rauaillac* that monster of men, vpon interrogatories made at his examination; among the rest, by whom he had beene so diabolically tempted and stirred vp to his most execrable attempt and act of extreme horror: did not he referre his examiners to the Sermons made the Lent next before, where they might be satisfied concerning the causes of his abominable vndertaking and execution? Are not *Bellarmino*, *Eudæmoniohannes*, *Suarez*, *Becanus*, *Mariana*, with such other monsters, who teach the doctrine of parricides, vphold the craft of Ianus-like Equiuocations in Courts of Iustice, and in secret confessions: are they not all Clerics? are not all their bookes approoued and allowed, as it were by a corporation or grosse companie of Doctors, with their signes manuel to the said bookes? What were the heads, the chiefe promoters, the complices of the powder-conspiracie in my Kingdome? were they not Ecclesiastics? Hath not *Faux* by name, a confederate of the same damned crew; hath not he stoutly stood to the gunners part, which then he was to act in that most dolefull Tragedie, with asseueration of a conscience well assured and settled, touching the lawfulnessse of his enterprise? Did he not yeild this reason? to wit, because he had bin armed with instruction of musket prooffe in the case, before he made passage ouer from the Low Countries? Is it not also the generall beleefe of that Order, that Clerics are exempted from the condition of Subiects to the King? Nay, is it not confessed by the L. Cardinall<sup>1</sup> himselfe, that King-killers haue ingaged themselues to vndertake the detestable act of parricide vnder a false credence of Religion, as beeing instructed by their schoolemasters in Religion? And who were they but Ecclesiasticall persons? All this presupposed as matter of trewth, I draw this conclusion: Howsoever no small number of the French Clergie may perhaps beare the affection of louing Subiects to their King, and may not suffer the Clericall character to deface the impression of naturall allegiance; yet, for so much as the Order of Clerics is dipped in a deeper die, and beareth a worse tincture of daungerous practises then the other Orders; the third Estate had beene greatly wanting to their excellent prouidence and wisdom, if they should haue relinquished and transferred the care of designements and proiects for the life of their King, and the safety of his Crowne, to the Clergie alone. Moreouer, the Clergie standeth bound to referre the iudgement of all matters of controuersie, to the sentence of the Pope, in this cause beeing a partie, and one that pretendeth

<sup>1</sup> Pag. 7.



Crownes to depend vpon his Mitre. What hope then might the third Estate conceiue, that his Holinesse would passe against his owne cause, when his iudgement of the controuersie had beene sundrie times before published and testified to the world? And whereas the plot or modell of remedies proiected by the third Estate, and the Kings Officers, hath not prooued sortable in the euent: was it because the said remedies were not good and lawfull? No verily: but because the Clergie refused to become contributors of their duty and meanes to the grand seruice. Likewise, for that after the burning of bookes, addressed to iustifie rebellious people, traytors, and parricides of Kings; neuerthelesse the authors of the said bookes are winked at, and backt with fauour. Lastly, for that some wretched parricides drinke off the cuppe of publike iustice; whereas to the fire-brands of sedition, the sowers of this abominable doctrine, no man saith so much as blacke is their eye.

It sufficiently appeareth, as I suppose, by the former passage, that his Lordship exhorting the third Estate to referre the whole care of this Regall cause vnto the Clergie, hath tacked his frame of weake ioynts and tenons to a very worthy but wrong foundations. Howbeit, he laboureth<sup>1</sup> to fortifie his exhortation with a more weake and feeble reason: For to make good his proiect he affirms, that matters and maximes out of all doubt and question may not be shuffled together with points in controuersie. Now his rules indubitable are two: The first, It is not lawfull to murther Kings for any cause whatsoever: This he confirmeth by the example of *Saul* (as he saith) deposed from his Throne, whose life or limbs *David* neuerthelesse durst not once hurt or wrong for his life: Likewise he confirms the same by a Decree of the Councill held at Constance:<sup>2</sup> His other point indubitable; The Kings of France are Soueraignes in all Temporall Soueraigntie, within the French Kingdome, and hold not by fealtie either of the Pope, as hauing received or obliged their Crownes vpon such tenure and condition, or of any other Prince in the whole world; Which point, neuerthelesse he takes not for certaine and indubitable, but onely according to humane and historicall certaintie. Now a third point he makes to be so full of controuersie, and so farre within the circle of disputable questions, as it may not be drawne into the ranke of classicall and authentick points, for feare of making a certaine point doubtfull, by shuffling and iumbling therewith some point in controuersie. Now the question so disputable, as he pretendeth, is this: A Christian Prince breaks his oath solemnely taken to God, both to liue and to die in the Catholique Religion: Say this Prince turnes Arrian, or Mahometan, fals to proclaime open warre, and to wage battell with Iesus Christ: Whether may such a Prince be declared to haue lost his Kingdome, and who shall declare the Subjects of such a Prince to be quit of their oath of allegiance? The L. Cardinall holds the affirmatiue, and makes no bones to maintaine, that all other parts of the Catholique Church, yea the French Church, euen from the first birth of her Theologicall Schooles, to

<sup>1</sup> Page 9.

<sup>2</sup> Conc. Constan. Sess. 15.

*Caluins* time and teaching, haue professed that such a Prince may bee lawfully remooued from his Throne by the Pope, and by the Councill: and suppose the contrarie doctrine were the very Quintessence or spirit of trewth, yet might it not in case of faith be vrged and pressed otherwise then by way of problematicall disceptation. That is the summe of his Lordships ample discourse: The refuting whereof I am constrained to put off, and referre vnto an other place; because he hath serued vs with the same dishes ouer and ouer againe. There we shall see the L. Cardinall maketh way to the dispatching of Kings after deposition: that *Saul* was not deposed, as he hath presumed: that in the Councill of Constance there is nothing to the purpose of murthuring Soueraigne Princes: that his Lordship, supposing the French King may be depriued of his Crowne by a superiour power, doth not hold his liege Lord to be Soueraigne in France: that by the position of the French Church from aage to aage, the Kings of France are not subiect vnto any censure of deposition by the Pope: that his Holinesse hath no iust and lawfull pretence to produce, that any Christian King holds of him by fealtie, or is obliged to doe the Pope homage for his Crowne.

Well then, for the purpose; he dwelleth onely vpon the third point pretended questionable, and this hee affirmeth: If any shall condemne, or wrappe vnder the solemne curse, the abettours of the Popes power to vn-king lawfull and Soueraigne Kings; the same shall runne vpon four dangerous rocks of apparent incongruities and absurdities.

First, he shall offer to force and entangle the consciences of many deuout persons: For he shall binde them to beleue and sweare that doctrine, the contrary whereof is beleueed of the whole Church, and hath bene beleueed by their Predecessors.<sup>1</sup>

Secondly, he shall ouerturne from top to bottome the sacred authoritie of holy Church, and shall set open a gate vnto all sorts of heresie, by allowing Laypersons a bold libertie to be iudges in causes of Religion and Faith: For what is that degree of boldnesse, but open vsurping of the Priesthood; what is it but putting of prophane hands vpon the Arke; what is it but laying of vnholly fingers vpon the holy Censor for perfumes?

Thirdly, hee shall make way to a Schisme, not possible to bee put by and auoyded by any humane prouidence. For this doctrine beeing held and professed by all other Catholiques; how can we declare it repugnant vnto Gods word; how can wee hold it impious; how can wee account it detestable, but wee shall renounce communion with the Head and other members of the Church; yea, we shall confesse the Church in all aages to haue bene the Synagogue of Satan, and the spouse of the Deuill?

Lastly, by working the establishment of this Article, which worketh an establishment of Kings Crownes; He shall not onely worke the intended remedy for the danger of Kings, out of all the vertue and efficacie thereof, by weakening of

<sup>1</sup> Pag. 14.



doctrine out of all controuersie, in packing it vp with a disputable question; but likewise in stead of securing the life and estate of Kings, he shall draw both into farre greater hazards, by the traine or sequence of warres, and other calamities, which vsually waite and attend on Schismes.

The L. Cardinall spends his whole discourse in confirmation of these foure heads, which wee now intend to sift in order, and demonstratiuely to prooue that all the said inconueniences are meere nullities, matters of imagination, and built vpon false presuppositions. But before wee come to the maine, the reader is to be enformed and aduertised, that his Lordship setteth a false glosse vpon the question; and propounds the case not onely contrary to the treweth of the subiect in controuersie, but also to the Popes owne minde and meaning: For he restraines the Popes power to depose Kings, onely to cases of Heresie, Apostasie, and persecuting of the Church; whereas Popes extend their power to a further distance. They depose Princes for infringing, or in any sort diminishing the Priuiledges of Monasteries: witnesse *Gregorie* the first in the pretended Charter granted to the Abbey of *S. Medard* at *Soissons*; the said Charter beeing annexed to his Epistles in the rere. The same hee testifieth in his Epistle to *Senator*, by name the tenth of the eleuenth booke. They depose for naturall dulnesse and lacke of capacitie, wether in-bred and trew indeed, or onely pretended and imagined: witnesse the glorious vaunt of *Gregory VII.* that *Childeric* King of France was hoysted out of his Throne by Pope *Zachary*,<sup>1</sup> *Not so much for his wicked life, as for his vnablenesse to beare the weightie burden of so great a Kingdome.* They depose for collating of Benefices and Prebends: witnesse the great quarrels and sore contentions betweene Pope *Innocent III.* and *Iohn* King of England: as also between *Philip* the Faire and *Boniface VIII.* They depose for adulteries and Matrimoniall suites: witnes *Philip I.* for the repudiating or casting off his lawfull wife *Bertha*, and marrying in her place with *Bertrade* wife to the Earle of Aniou. Finally, faine would I learne into what Heresie or degree of Apostasie, either *Henry IV.* or *Frederic Barbarossa*, or *Frederic II.* Emperours were fallen, when they were smitten with Papall fulminations, euen to the deprivation of their Imperiall Thrones.<sup>2</sup> What? was it for Heresie or Apostasie, that Pope *Martin IV.* bare so hard a hand against *Peter* King of Arragon, that he acquitted and released the Aragonnois from their oath of Alleagiance to *Peter* their lawfull King? Was it for Heresie or Apostasie, for Arrianisme or Mahumetisme, that *Lewis XII.* so good a King and Father of his Countrey, was put downe by *Iulius* the II? Was it for Heresie or Apostasie, that *Sixtus V.* vsurped a power against *Henrie III.* euen so farr as to denounce him unkingd; the issue whereof was the parricide of that good King, and the most woefull desolation of a most flourishing Kingdome? But his Lordship best liked to worke vpon that ground, which to the outward shew and appearance, is the most beautifull cause that can be alleaged for the dishonouring of Kings by the weapon of deposition: making him-

<sup>1</sup> Caus. 15. Can Alius. Qu. 6.

<sup>2</sup> Paul Aemil. in Phil. 3.

selfe to beleue that he acted the part of an Orator before personages not much acquainted with ancient and moderne histories, and such as little vnderstood the state of the question then in hand. It had therefore beene a good warrant for his Lordship, to haue brought some authentically instrument from the Pope, whereby the French might haue beene secured, that his Holinesse renounceth all other causes auouchable for the degrading of Kings; and that he will henceforth rest in the case of Heresie, for the turning of Kings out of their Free-hold: as also that his Holinesse by the same or like instrument might haue certified his pleasure, that hee will not hereafter make himselfe Iudge, whether Kings bee tainted with damnable Heresie, or free from Hereticall infection. For that were to make him selfe both Iudge and Plaintiffe, that it might be in his power to call that doctrine Hereticall, which is pure Orthodoxe: and all for this end, to make himselfe master of the Kingdome, and there to settle a Successour, who receiuing the Crowne of the Popes free gift and grant, might be tyed thereby to depend altogether vpon his Holinesse. Hath not Pope *Boniface VIII.* declared in his proud Letters all those to be Heretiques, that dare vndertake to affirme, the collating of Prebends appertaineth to the King? It was that Popes grosse error, not in the fact, but in the right. The like crime forsooth was by Popes imputed to the vnhappy Emperour *Henrie IV.* And what was the issue of the said imputation? The sonne is instigated thereby to rebell against his father, and to impeach the interment of his dead corps, who neuer in his life had beate his braines to trouble the sweet waters of Theologicall fountaines. It is recorded by *Auentine*,<sup>1</sup> that Bishop *Virgilius* was declared Heretique, for teaching the Position of Antipodes. The Bull *Exurge*,<sup>2</sup> marching in the rere of the last Lateran Councel, sets downe this Position for one of *Luthers* heresies, *A new life is the best repentance*.<sup>3</sup> Among the crimes which the Councel of Constance<sup>4</sup> charged Pope *Iohn XXIII.* withall, one was this, that hee denied the immortalitie of the soule, and that *so much was publicly, manifestly, and notoriously knowen*. Now if the Pope shall be caried by the streame of these or the like errors, and in his Hereticall prauitie shall depose a King of the contrary opinion, I shall hardly bee perswaded, the said King is lawfully deposed.

#### THE FIRST INCONVENIENCE EXAMINED.

THE first inconuenience growing (in the Cardinall his conceit) by entertaining the Article of the third Estate (whereby the Kings of France are declared to be indeposeable by any superiour power spirituall or temporall) is this: *It offereth force to the conscience, vnder the penaltie of Anathema, to condemne a doctrine beleued and practised in the Church, in the continuall current of the last eleuen hundred yeeres*. In these words he maketh a secret confession, that in the first fiew hundred yeeres, the same doctrine was neither apprehended by faith, nor ap-

<sup>1</sup> Annal. Boio. Lib. 3.

<sup>2</sup> Optima poenitentia noua vita.

<sup>3</sup> Inuanen. Episcop.

<sup>4</sup> Conc. Constan. Sess. 2.



prooued by practise. Wherein, to my vnderstanding, the L. Cardinall voluntarily giueth ouer the suite: For the Church in the time of the Apostles, their disciples, and successors, for 500. yeeres together, was no more ignorant what authoritie the Church is to challenge ouer Emperours and Kings, then at any time since in any succeeding aage; in which as pride hath still flowed to the height of a full Sea, so puritie of religion and manners hath kept for the most part at a lowe water marke. Which point is the rather to be considered, for that during the first 500. yeeres, the Church groned vnder the heauy burthen, both of heathen Emperours, and of hereticall Kings; the Visigot Kings in Spaine, and the Vandals in Africa. Of whose displeasure the Pope had small reason or cause to stand in any feare, beeing so remote from their dominions, and no way vnder the lee of their Soueraigntie.

But let vs come to see, what aide the L. Cardinall hath amassed and piled together out of latter histories: provided wee still beare in mind, that our question is not of popular tumults, nor of the rebellion of subjects making insurrections out of their owne discontented spirits and brainesicke humors, nor of lawfull Excommunications, nor of Canonick censures and reprehensions; but onely of a iuridicall sentence of deposition, pronounced by the Pope, as armed with ordinary and lawfull power to depose, against a Soueraigne Prince.

Now then, The L. Cardinall<sup>1</sup> sets on, and giues the first charge with *Anastasius* the Emperour, whom *Euphemius* Patriarke of Constantinople would neuer acknowledge for Emperour: (that is to say, would neuer consent he should be created Emperour by the helpe of his voice or suffrage) except he would first subscribe to the *Chalcedon* Creed: notwithstanding the great Empresse and Senate sought by violent courses and practises to make him yeeld. And when afterward the said Emperour, contrary to his oath taken, played the relaps by falling into his former heresie, and became a persecutor; he was first admonished, and then excommunicated by *Symmachus* Bishop of Rome. To this the L. Cardinall addes, that when the said Emperour was minded to choppe the poison of his hereticall assertions into the publique formes of diuine seruice, then the people of Constantinople made an uproare against *Anastasius* their Emperour; and one of his Commanders by force of armes, constrained him to call backe certaine Bishops whom he had sent into banishment before.

In this first example the L. Cardinall by his good leaue, neither comes close to the question, nor salutes it a farre off. *Euphemius* was not Bishop of Rome: *Anastasius* was not deposed by *Euphemius*; the Patriarch onely made no way to the creating of *Anastasius*. The suddaine commotion of the base multitude makes nothing, the rebellion of a Greeke Commaunder makes lesse, for the authorizing of the Pope to depose a Soueraigne Prince. The Greeke Emperour was excommunicated by Pope *Symmachus*: who knowes whether that be trew or forged? For the Pope himselfe is the onely witnesse here produced by the L.

<sup>1</sup> Exampl. 1. pag. 18 Euag. hist. Eccles. lib. 3. cap. 32.

Cardinall vpon the point: and who knowes not how false, how supposititious, the writings and Epistles of the auncient Popes are iustly esteemed? But graunt it a trewth; yet *Anastasius* excommunicated by Pope *Symmachus*, is not *Anastasius* deposed by Pope *Symmachus*. And to make a full answer, I say further, that excommunication denounced by a forraine Bishop, against a party not beeing within the limits of his iurisdiction, or one of his owne flocke, was not any barre to the party from the communion of the Church, but onely a kind of publication, that he the said Bishop in his particular, would hold no further communion with any such party.

For prooffe whereof, I produce the Canons of the Councils held at Carthage. In one of the said Canons it is thus provided and ordained;<sup>1</sup> If any Bishop shall wilfully absent himselfe from the vsuall and accustomed Synodes, let him not be admitted to the communion of other Churches, but *let him onely vse the benefit and libertie of his owne Church*. In an other of the same Canons thus;<sup>2</sup> If a Bishop shall insinuate himselfe to make a conueiance of his Monasterie, and the ordering thereof vnto a Monke of any other Cloister; let him be cut off, *let him be separated from the communion with other Churches and content himselfe to liue in the communion of his owne flocke*. In the same sense *Hilarius* Bishop of Poitiers excommunicated *Liberius*<sup>3</sup> Bishop of Rome, for subscribing to the Arrian Confession. In the same sense, *Iohn* Bishop of Antioch excommunicated *Celestine* of Rome, and *Cyrill* of Alexandria, Bishops; for proceeding to sentence against *Nestorius*, without staying his comming to answer in his owne cause. In the same sense likewise, *Victor* Bishop of Rome did cut off all the Bishops of the East, not from the communion of their owne flocke, but from communion with *Victor* and the Romane Church. What resemblance, what agreement, what proportion, betweene this course of excommunication, and that way of vniust fulmination which the Popes of Rome haue vsurped against Kings, but yet certaine long courses of time after that auncient course?

And this may stand for a full answer likewise to the example of *Clotharius*.<sup>4</sup> This ancient King of the French, fearing the censures of Pope *Agapetus*, erected the Territorie of Yuetot vnto the title of a Kingdome, by way of satisfaction for murdering of *Gualter*, Lord of Yuetot. For this example the L. Cardinall hath ransackt records of 900. yeares antiquitie and vpward; in which times it were no hard piece of worke to shew, that Popes would not haue any hand, nor so much as a finger in the affaires and acts of the French Kings. *Gregorie* of Tours that liued in the same aage, hath recorded many acts of excesse, and violent iniuries done against Bishops by their Kings, and namely against *Prætextatus* Bishop of Roan; for any of which iniurious pranks then played, the Bishop of

<sup>1</sup> Nomocan. Affric. Can. 77. Ὅφείλειν τοὺς τοιοῦτους τῇ κοινωνίᾳ. Τῆς ἰδίας αὐτῶν ἀρκέως ἐκκλησίας.

<sup>2</sup> Can. 81. eiusd. Nomo. ἀπὸ πῶν λοιπῶν κοινωνίας χωριζόμενος τῇ τοῦ ἰδίου λαοῦ κοινωνίᾳ ἀρκεσθῆναι μόνῃ.

<sup>3</sup> Anathema tibi a me Liberi. Faber. in frag. Hilarij.

<sup>4</sup> Examp. 2.



Rome durst not reprooue the said Kings with due remonstrance. But see heere the words of *Gregorie* himselfe to King *Chilperic*: *If any of vs, O King, shall swarue from the path of Iustice, him hast thou power to punish: But in case thou shalt at any time transgresse the lines of equitie, who shall once touch thee with re-proofe? To thee wee speake, but are neuer heeded and regarded, except it be thy pleasure: and bee thou not pleased, who shall challenge thy greatnesse, but hee that iustly challengeth to bee Iustice it selfe?* The good Bishop, notwithstanding these humble remonstrances, was but roughly entreated, and packt into exile, being banished into the Isle of Guernsay. But I am not minded to make any deepe search or inquisition, into the titles of the Lords of Yuetot; whose honourable priuiledges and titles are the most honourable badges and cognizances of their Ancestours, and of some remarkeable seruice done to the Crowne of France: so farre I take them to differ from a satisfaction for sinne: And for the purpose I onely affirme, that were the credit of this historie beyond all exception, yet makes it nothing to the present question, Wherein the power of deposing, and not of excommunicating supreme Kings, is debated. And suppose the King by Charter granted the said priuiledges for feare of Excommunication; how is it prooued thereby, that Pope *Agapetus* had lawfull and ordinary power to depriue him of his Crowne? Nay, doubtlesse it was rather a meanes to eleuate and aduance the dignitie of the Crowne of France, and to style the French King, a King of Kings, as one that was able to giue the qualitie of King, to all the rest of the Nobles and Gentry of his Kingdome. Doeth not some part of the Spanish Kings greatnesse, consist in creating of his, great?

In the next place followeth *Gregorie I.*<sup>1</sup> who in the 10. Epistle of the 11. booke, confirming the priuiledges of the Hospitall at *Augustodunum* in *Bourgongne*, prohibiteth all Kings and Prelates whatsoever, to infringe or diminish the said priuiledges, in whole or in part. His formall and expresse words bee these: *If any King, Prelate, Iudge, or any other Secular person, informed of this our Consti-tution, shall presume to goe or doe contrary thereunto, let him bee cast downe from his power and dignitie.* I answer; the Lord Cardinall heere wrongs himselfe very much, in taking imprecations for Decrees. Might not euen the meanest of the people vse the same tenour of words, and say? If any shall touch the life, or the most sacred Maiestie of our Kings, be he Emperour, or be he Pope, let him bee accursed; let him fall from his eminent place of authoritie; let him lose his dignitie; let him tumble into beggerie, diseases, and all kindes of calamities? I forbear to shew how easie a matter it is for Monkes, to forge titles after their owne humour, and to their owne liking, for the vpholding and maintaining of their priuiledges. As for the purpose, the same *Gregorie* citeth in the end of his Epistles another priuiledge, of the like stuffe and stampe to the former, granted to the Abbey of *S. Medard* at Soissons: It is fenced with a like clause to the other; But of how great vntrewth, and of how little weight it is, the very date that it

<sup>1</sup> Examp. 3. pag. 22.

beareth, makes manifest prooffe: For it runs, Dated the yeere of our Lords Incarnation 593. the 11. Indiction; whereas the 10. Indiction agreeth to the yeere 593. Besides, it was not *Gregories* maner to date his Epistles, according to the yeere of the Lord. Againe, the said priuiledge was signed by the Bishops of Alexandria and Carthage, who neuer knew (as may well bee thought) whether any such Abbey of S. *Medard*, or citie of Soissions, was euer built in the world. Moreouer, they signed in the thickest of a crowd as it were of Italian Bishops. Lastly, hee that shall reade in this *Gregories* Epistles, with what spirit of reuerence and humilitie he speaketh of Emperours, will hardly beleue that euer hee armed himselfe with authoritie to giue or to take away Kingdomes. Hee styles himselfe <sup>1</sup> *The Emperours vnworthie seruant: presuming to speake vnto his Lord, when he knowes himselfe to bee but dust and a very worme: Hee professeth subiection vnto the Emperours commands, euen to the publishing of a certaine Law of the Emperours which in his iudgement somewhat iarred and iustled with Gods Law;* as elsewhere I haue spoken more at large.

The L. Cardinall next bringeth vpon the stage *Iustinian II.*<sup>2</sup> Hee, being in some choller with *Sergius* Bishop of Rome, because hee would not fauour the erroneous Synode of Constantinople, would haue caused the Bishop to bee apprehended by his Constable *Zacharias*. But by the Romane *Militia*, (that is, the troupes which the Emperour then had in Italie) *Zacharias* was repulsed and hindered from his desaigne, euen with opprobrious and reproachfull termes. His Lordship must haue my shallownesse excused, if I reach not his intent by this Allegation; wherein I see not one word of deposing from the Empire, or of any sentence pronounced by the Pope.

Heere are now 712. yeeres expired after the birth of Iesus Christ: in all which long tract of time, the L. Cardinal hath not light vpon any instance, which might make for his purpose with neuer so little shew: For the example of the Emperour *Philippicus*<sup>3</sup> by the Cardinal alledged next in sequence, belongeth to the yeere 713. And thus lies the historie: This Emperour *Philippicus Bardanes*, was a professedemie to the worshipping of Images, and commanded them to be broken in pieces. In that very time the Romane Empire was ouerthrowen in the West, and sore shaken by the Saracenes in the East. Besides those miseries, the Emperour was also incumbred with a ciuill and intestine warre. The greatest part of Italie was then seized by the Lombards, and the Emperour in Italie had nothing left saue onely the Exarchat of Rauenna, and the Dutchie of Rome, then halfe abandoned by reason of the Emperours want of forces. Pope *Constantine* gripes this occasion whereon to ground his greatnesse, and to shake off the yoke of the Emperour his Lord, Undertakes against *Philippicus* the cause of Images: by a Councel declares the Emperour Heretique: Prohibites his rescripts or coine

<sup>1</sup> Epist. 6. l. 3. Ego autem indignus pietatis tuæ seruus. Ego verò hæc Dominis meis loquens, quid sum nisi pulvis & vermis? Ibid. Ego quidem iussioni subiectus, &c. Epist. 61. l. 2.

<sup>2</sup> Examp. 4.

<sup>3</sup> Examp. 5.



to bee receiued, and to goe current in Rome: Forbids his Imperiall statue to bee set vp in the Temple, according to ancient custome: The tumult groweth to a height: The Pope is principall promoter of the tumult: In the heate of the tumult the Exarche of Rauenna loseth his life. Here see now the mutinie of a subiect against his Prince, to pull from him by force and violence a citie of his Empire. But who seeth in all this any sentence of deposition from the Imperiall dignitie? Nay, the Pope then missed the cushion, and was disappointed vtterly of his purpose: The citie of Rome stood firme, and continued still in their obedience to the Emperour.

About some 12. yeeres after, the Emperour *Leo Isauricus*<sup>1</sup> (whom the Lord of Perron calleth *Iconoclast*) falles to fight it out at sharpe, and to prosecute worshippers of Images with all extremitie. Vpon this occasion, Pope *Gregory 2.* then treading in the steps of his predecessor, when he perceiued the citie of Rome to be but weakely prouided of men or munition, and the Emperour to haue his hands full in other places, found such meanes to make the citie rise in rebellious armes against the Emperour, that he made himselfe in short time master thereof. Thus farre the Lord Cardinall, whereunto my answere for satisfaction is; that degrading an Emperour from his Imperiall dignitie, and reducing a citie to reuolt against her Master, that a man at last may carry the piece himselfe, and make himselfe Lord thereof, are two seuerall actions of speciall difference. If the freehold of the citie had beene conueied to some other by the Pope depriuing the Emperour, as proprietarie thereof, this example might haue challenged some credit at least in shew: but so to inuade the citie to his owne vse, and so to seize on the right and authority of another, what is it but open rebellion, and notorious ambition? For it is farre from Ecclesiasticall censure, when the spirituall Pastor of soules forsooth, pulles the cloake of a poore sinner from his backe by violence, or cuts his purse, and thereby appropriates an other mans goods to his priuate vse. It is to be obserued withall, that when the Emperours were not of sufficient strength, and Popes had power to beard and to braue Emperours, then these Papall practises were first set on foot. This Emperour notwithstanding, turned head and peckt againe: his Lieutenant entred Rome, and *Gregorie 3.* successor to this *Gregorie 2.* was glad to honour the same Emperour with style and title of his Lord: witnesse two seuerall Epistles of the said *Gregorie 3.*<sup>2</sup> written to *Boniface*, and subscribed in this forme: *Dated the tenth Calends of December: In the raigne of our most pious and religious Lord, Augustus Leo, crowned of God, the great Emperour, in the tenth yeere of his raigne.*

The L. Cardinall with no lesse abuse alleadgeth Pope *Zacharie*, by whom the French, as he affirmeth, were absolued of the oath of allegiance, wherein they stood bound to *Childeric* their King: And for this instance, he standeth vpon the testimonie of *Paulus Aemilius*, and *du Tillet*, a paire of late writers. But by

<sup>1</sup> Examp. 6.

<sup>2</sup> Dat. 10. Cal. Decem Imperante Dom. pijssimo Augusto Leone, a Deo coronato, magno Imp. anno decimo Imperij eius. Examp. 7.

authors more neere that aage wherein *Childeric* raigned, it is more trewly testified, that it was a free and voluntarie act of the French, onely asking the aduise of Pope *Zacharie*, but requiring neither leaue nor absolution. *Ado* Bishop of *Vienna*, in his *Chronicles* hath it after this manner: *The French, following the Counsell of Embassadors, and of Pope, Zachary elected Pepin their King, and established him in the Kingdome.* *Trithemius* in his abridgement of *Annals*, thus: *Childeric, as one unfit for gouvernement, was turned out of his Kingdome, with common consent of the Estates and Peeres of the Realme, so aduised by Zacharie Pope of Rome, Godfridus of Viterbe* in the 17. part of his *Chronicle*; and *Guauguin* in the life of *Pepin*, affirme the same. And was it not an easie matter to worke *Pepin* by counsell to lay hold on the Kingdome, when he could not be hindered from fastening on the Crowne, and had already seizd it in effect, howsoever he had not yet attained to the name of King? Moreouer, the rudenesse of that Nation, then wanting knowledge and Schooles either of divinitie, or of Academicall sciences, was a kind of spurre to make them runne for counsell ouer the mountaines: which neuerthesse in a cause of such nature, they required not as necessary, but onely as decent and for fashion sake. The Pope also for his part was well appaied, by this meanes to draw *Pepin* vnto his part; as one that stood in some neede of his aide against the Lombards; and the more, because his Lord the Emperour of Constantinople was then brought so low, that hee was not able to send him sufficient aide, for the defence of his territories against his enemies. But had *Zacharie* (to deale plainely) not stood vpon the respect of his owne commodity, more then vpon the regard of Gods feare; he would neuer haue giuen counsell vnto the seruant, vnder the pretended colour of his Masters dull spirit, so to turne rebell against his Master. The Lawes prouide Gardians, or ouerseers, for such as are not well in their wits; they neuer depriue and spoile them of their estate: they punish crimes, but not diseases and infirmities by nature. Yea, in France it is a very auncient custome, when the King is troubled in his wits to establish a Regent, who for the time of the Kings disability, may beare the burden of the Kingdomes affaires. So was the practise of that State in the case of *Charles 6.* when hee fell into a phrensie; whom the Pope notwithstanding his most grievous and sharpe fits, neuer offered to degrade. And to be short, what reason, what equity will beare the children to be punished for the fathers debilitie? Yet such punishment was laid vpon *Childerics* whole race and house; who by this practise were all disinherited of the Kingdome. But shall wee now take some view, of the L. Cardinals excuse for this exemplarie fact? The cause of *Childerics*<sup>1</sup> deposing, (as the L. Cardinall saith) did neerely concerne and touch Religion: For *Childerics* imbecillity brought all France into danger, to suffer a most wofull shipwracke of Christian religion, vpon the barbarous and hostile inuasion of the Saracens. Admit now this reason had beene of iust weight and value, yet consideration should haue beene taken, whether some one or other of that Royall

<sup>1</sup> Pag. 25.



stemme, and of the Kings owne successors neerest of blood, was not of better capacity to rule and mannage that mighty State. The feare of vncertaine and accidentall mischiefe, should not haue driuen them to flie vnto the certaine mischiefe of actuall and effectuall deposition. They should rather haue set before their eies the example of *Charles Martel*, this *Pepins* father; who in a farre more eminent danger, when the Saracens had already mastered, and subdued a great part of France, valiantly encountred, and withall defeated the Saracens; ruled the Kingdome vnder the title of *Steward* of the Kings house, the principall Officer of the Crowne; without affecting or aspiring to the Throne for all that great step of aduantage, especially when the Saracens were quite broken, and no longer dreadfull to the French Nation.

In our owne Scotland, the sway of the Kingdome was in the hand of *Walles*, during the time of *Bruse* his imprisonment in England, who then was lawfull heire to the Crowne. This *Walles* or *Vallas* had the whole power of the Kingdome at his becke and command. His Edicts and ordinances to this day stand in full force. By the deadly hatred of *Bruse* his mortall enemy, it may be conjectured, that he might haue bene prouoked and inflamed with desire to trusse the Kingdome in his tallants. And notwithstanding all these incitements, he neuer assumed or vsurped other title to himselfe, then of *Gouernour* or *Administratour* of the Kingdome. The reason: Hee had not beene brought vp in this new doctrine and late discipline, whereby the Church is endowed with power to giue and to take away Crownes. But now (as the L. Cardinall would beare the world in hand) the state of Kings is brought to a very dead lift. The Pope forsooth must send his Physicians, to know by way of inspection or some other course of Art, whether the Kings braine be cract or sound: and in case there be found any debilitie of wit and reason in the King, then the Pope must remooue and translate the Crowne, from the weaker braine to a stronger: and for the acting of the stratageme, the name of Religion must be pretended. Ho, these Heretikes begin to crawle in the Kingdome: order must bee taken they bee not suffered by their multitudes and swarmes, like locusts or caterpillers to pester and poison the whole Realme. Or in a case of Matrimony, thus: Ho, marriage is a Sacrament: touch the Order of Matrimonie, and Religion is wounded. By this deuice not onely the Kings vices, but likewise his naturall diseases and infirmities are fetcht into the circle of Religion; and the L. Cardinall hath not done himselfe right, in restraining the Popes power to depose Kings, vnto the cases of Heresie, Apostasie, and persecution of the Church.

In the next place followeth *Leo III.* who by setting the Imperial Crowne vpon the head of *Charles*, absolved all the Subiects in the West, of their obedience to the Greeke Emperours, if the L. of Perron might bee credited in this Example. But indeed it is crowded among the rest by a slie tricke, and cleane contrary to the naked trewth of all histories: For it shall neuer be iustified by good historie, that so much as one single person or man (I say not one Countrey, or one people)

was then wrought or wonne by the Pope to change his copy and Lord, or from a subiect of the Greeke Emperours, to turne subiect vnto *Charlemaine*. Let me see but one Towne that *Charlemaine* recouered from the Greeke Emperours, by his right and title to his Empire in the West: No, the Greeke Emperours had taken their farewell of the West Empire long before: And therefore to nicke this vpon the tallie of Pope *Leo* his Acts, that he tooke away the West from the Greeke Emperour, it is euen as if one should say, that in this aage the Pope takes the Dukedome of *Milan* from the French Kings, or the citie of Rome from the Emperours of Germanie, because their Predecessours in former aages had beene right Lords and gouernours of them both. It is one of the Popes ordinary and solemne practises to take away, much after the maner of his giuing. For as he giueth what he hath not in his right and power to giue, or bestoweth vpon others what is already their owne; euen so he taketh away from Kings and Emperours the possessions which they haue not in present hold and possession. After this maner he takes the West from the Greeke Emperours, when they hold nothing in the West, and lay no claime to any citie or towne of the West Empire. And what shall wee call this way of depriuation, but spoiling a naked man of his garments, and killing a man already dead? Trew it is the Imperiall Crowne was then set on *Charlemaines* head by *Leo* the Pope: did *Leo* therefore giue him the Empire? No more then a Bishop that crownes a King, at his Royall and solemne consecration, doeth giue him the Kingdome: For shall the Pope himselfe take the Popedome from the Bishop of *Ostia* as of his gift, because the crowning of the Pope is an Office of long time peculiar to the *Ostian* Bishop? It was the custome of Emperours, to be crowned Kings of Italy by the hands of the Archbishop of *Milan*: did he therefore giue the Kingdome of Italy to the said Emperours? And to returne vnto *Charlemaine*; If the Pope had conueyed the Empire to him by free and gracious donation, the Pope doubtlesse in the solemnitie of his coronation, would neuer haue perfourmed vnto his owne creature, an Emperour of his owne making the dueties of adoration, as *Ado* that liued in the same aage, hath left it on record: *After the solemne prayes ended (saith Ado) the chiefe Bishop honoured him with adoration,*<sup>1</sup> *according to the custome of ancient Princes.* The same is likewise put downe by *Auentine*,<sup>2</sup> in the 4. booke of his Annals of *Bauaria*. The like by the President *Fauchet* in his Antiquities: and by *Monsieur Petau* Counsellour in the Court of Parliament at *Paris*, in his Preface before the Chronicles of *Eusebius*, *Hierome*, and *Sigebert*.<sup>3</sup> It was therefore the people of *Rome*, that called this *Charles* the Great vnto the Imperiall dignitie, and cast on him the title of Emperour. So testifieth *Sigebert* vpon the yeere 801. *All the Romanes with one generall voice and consent, ring out acclamations of Imperiall praises to the Emperour, they crowne him by the hands of Leo the Pope, they giue him the style of Cæsar and*

<sup>1</sup> Perfectis laudibus, à Pontifice more Principum antiquorum adoratus est.

<sup>2</sup> Auentinus Annalium Boiorum, lib. 4.

<sup>3</sup> Posthæc ab eodem Pontifice vt cæteri veterum Principum, more maiorum adoratus est Magnus. Sigeb. ad an. 801.



Augustus. *Marianus Scotus*<sup>1</sup> hath as much in effect: Charles was then called Augustus by the Romanes. And so *Platina*:<sup>2</sup> After the solemne service, Leo declareth and proclaimeth Charles Emperour, according to the publike Decree and generall request of the people of Rome. *Auentine*,<sup>3</sup> and *Sigonius* in his 4. booke of the Kingdome of *Italie* witnesseth the same. Neuerthelesse, to gratifie the L. Cardinall; Suppose Pope *Leo* dispossessed the Greeke Emperours of the West Empire: What was the cause? what infamous acte had they done? what prophane and irreligious crime had they committed? *Nicephorus* and *Irene*, who reigned in the Greeke Empire in *Charlemaines* time, were not reputed by the Pope, or taken for Heretikes. How then? The L. Cardinall helpeth at a pinch, and putteth vs in minde, that *Constantine* and *Leo*, predecessours to the said Emperours, had beene poysoned with Heresie, and stained with persecution. Here then behold an Orthodoxe Prince deposed: For what cause? for Heresie forsooth, not in himselfe, but in some of his Predecessors long before. An admirable case: For I am of a contrary minde, that he was worthy of double honour, in restoring and setting vp the trewth againe, which vnder his predecessors had endured oppression, and suffered persecution. Doubtlesse Pope *Silvester* was greatly ouerseene, and played not well the Pope, when hee winked at *Constantine* the Great, and cast him not downe from his Imperiall Throne, for the strange infidelitie and Paganisme of *Diocletian*, of *Maximian*, and *Maxentius*, whom *Constantine* succeeded in the Empire.

From this example the L. of *Perron* passeth to *Fulke* Archbishop of *Reims*:<sup>4</sup> by whom *Charles* the Simple was threatned with Excommunication, and refusing to continue any longer in the fidelity and allegiance of a subject. To what purpose is this example? For who can be ignorant, that all aages haue brought forth turbulent and stirring spirits, men altogether forgetfull of respect and obseruance towards their Kings, especially when the world finds them shallow and simple-witted, like vnto this Prince? But in this example, where is there so much as one word of the Pope, or the deposing of Kings?

Here the L. Cardinall chops in the example of *Philip I.*<sup>5</sup> King of France but mangled, and strangely disguised, as hereafter shall be shewed.

At last he leadeth vs to *Gregory VII.*<sup>6</sup> surnamed *Hildebrand*, the scourge of Emperours, the firebrand of warre, the scorner of his aage. This Pope, after he had (in the spirit of pride, and in the very height of all audaciousnesse) thundred the sentence of excommunication and deposition, against the Emperour *Henry III.*, after he had enterprised this act without all precedent example: after he had filled all Europe with blood: this Pope, I say, sunke downe vnder the weight of his affaires, and died as a fugitiue at *Salerne*, ouerwhelmed with discontent

<sup>1</sup> *Marianus Scotus* lib. 3. *Annalium*.

<sup>2</sup> *Plat.* in vita *Leon.* 3.

<sup>3</sup> *Auent.* *Annal. Boio.* lib. 4. Imperium transferre iure suo in Germanos, Carolúmque tacito Senatus consulto, plebiscitoque; decernunt.

<sup>4</sup> *Exemp.* 9. pag. 21.

<sup>5</sup> *Examp.* 10. pag. 28.

<sup>6</sup> *Exam.* 11. An. 1076.

and sorrow of heart: Here lying at the point of giuing vp the ghoast, calling vnto him (as it is in *Sigebert*<sup>1</sup>) a certaine Cardinall whom he much fauoured, *He confesseth to God, and Saint Peter, and the whole Church, that he had beene greatly defectiue in the Pastorall charge committed to his care; and that by the Devils instigation, he had kindled the fire of Gods wrath and hatred against mankind: Then hee sent his Confessor to the Emperour, and to the whole Church to pray for his pardon, because hee perceiued that his life was at an end.* Likewise Cardinall *Benno* that liued in the said *Gregories* time, doth testifie, *That so soone as he was risen out of his Chaire to excommunicate the Emperour from his Cathedrall seate: by the will of God the said Cathedrall seate, new made of strong board or plancke, did cracke and cleaue into many pieces or parts; to manifest how great and terrible Schismes had beene sown against the Church of Christ, by an excommunication of so dangerous consequence, pronounced by the man that had sit Iudge therein.* Now to bring and alleadge the example of such a man, who by attempting an act which neuer any man had the heart or face to attempt before, hath condemned all his predecessors of cowardise, or at least of ignorance, what is it else, but euen to send vs to the schoole of mightie robbers, and to seeke to correct and reforme ancient vertues by late vices? Which *Otho Frisingensis*<sup>2</sup> calling into his owne priuate consideration, hee durst freely professe, *that hee had not reade of any Emperour before this Henry the IIII. excommunicated or driuen out of his Imperiall Throne and Kingdome by the chiefe Bishop of Rome.* But if this quarrell may be tryed and fought out with weapons of examples, I leaue any indifferent reader to iudge what examples ought in the cause to be of chiefest authority and weight; whether late examples of Kings deposed by Popes, for the most part neuer taking the intended effect; or auncient examples of Popes actually and effectually thrust out of their thrones by Emperours and Kings.

The Emperour *Constantius* expelled *Liberius* Bishop of Rome out of the citie: banished him as farre as *Beroe*, and placed *Fælix* in his roome.<sup>3</sup> Indeed *Constantius* was an Arrian, and therein vsed no lesse impious then vniust proceeding, Neuerthelesse, the auncient Fathers of the Church, doe not blame *Constantius* for his hard and sharpe dealing with a chiefe Bishop, ouer whom hee had no lawfull power, but onely as an enemie to the Orthodoxe faith, and one that raged with extreame rigour of persecution against innocent beleeuers.

In the raigne of *Valentinian* the I.<sup>4</sup> and yeare of the Lord 367. the contention betweene *Damasus* and *Vrcisinus* competitors for the Bishopricke, filled the citie of Rome with a bloody sedition, in which were wickedly and cruelly murdered 137. persons. To meet with such turbulent actions, *Honorius* made a law extant in the Decreetalls,<sup>5</sup> the words whereof be these; *If it shall happen henceforth by the temeritie of competitors, that any two Bishops be elected to the See, we straitly*

<sup>1</sup> Sigeb. ad an. 1085.

<sup>2</sup> Otho Frisingens. in vita Hen. 4. lib. 4. cap 31.

<sup>3</sup> Theo. lib. 2. Hist. cap. 16.

<sup>4</sup> Ammia. lib. 27.

<sup>5</sup> Decret. dist. 79.



*charge and command that neither of both shall sit in the said See.* By vertue of this Law, the same *Honorius* in the yeare 420. expelled *Bonifacius* and *Eulalius*,<sup>1</sup> competitors and Antipopes out of Rome, though not long after he reuoked *Bonifacius* and settled him in the Papall See.

*Theodoric* the Goth King of Italy, sent *Iohn* Bishop of Rome Embassador to the Emperour *Iustinian*, called him home againe, and clapt him vp in the close prison, where he starved to death. By the same King, *Peter* Bishop of Altine was dispatched to Rome, to heare the cause and examine the processe of Pope *Symmachus*, then indited and accused of sundry crimes.<sup>2</sup>

King *Theodatus* about the yeare 537. had the seruice of Pope *Agapetus*, as his Embassadour to the Emperour *Iustinian*, vpon a treatie of peace. *Agapetus* dying in the time of that seruice, *Syluerius* is made Bishop by *Theodatus*. Not long after, *Syluerius* is driuen out by *Belisarius* the Emperour his Lieutenant, and sent into banishment. After *Syluerius* next succeedeth *Vigilius*, who with currant coine purchased the Popedome of *Belisarius*. The Emperour *Iustinian* sends for *Vigilius* to Constantinpole, and receiues him there with great honour. Soone after, the Emperour takes offence at his freenesse in speaking his mind, commands him to bee beaten with stripes in manner to death, and with a roape about his necke to be drawne through the city like a thiefe, as *Platina* relates the historie. *Nicephorus* in his 26. booke, and 17. chapter, comes very neere the same relation.<sup>3</sup>

The Emperour *Constantius*, in the yeere 654. caused Pope *Martin* to be bound with chaines, and banished him into Chersonesus, where he ended his life. The Popes in that aage writing to the Emperours, vsed none but submissiue tearmes, by way of most humble supplications; made profession of bowing the knee before their sacred Maiesties, and of executing their commaunds with entire obedience; payed to the Emperours twenty pound weight of gold for their Inuestiture; which tribute was afterward released and remitted, by *Constantine* the Bearded, to Pope *Agatho*, in the yeere 679. as I haue obserued in an other place.<sup>4</sup>

Nay further, euen when the power and riches of the Popes was growne to great height, by the most profuse and immense munificence of *Charlemayne* and *Lewis* his sonne; the Emperours of the West did not relinquish and giue ouer the making and vnmaking of Popes, as they saw cause. Pope *Adrian* 1. willingly submitted his necke to this yoke: and made this Law to be passed in a Councill, that in *Charlemayne* should rest a right and power for the Popes election, and for the gouernement of the Papall See. This Constitution is incerted in the *Decretals*, Distinct. 63. Can.<sup>5</sup> *Hadrianus*, and was confirmed by the practise of many yeeres.

<sup>1</sup> Platina. Sigebertus.

<sup>2</sup> Anastatius. Platina. Lib. Pontifi. Diaconus.

<sup>3</sup> Platina. Baronius. Sigebertus.

<sup>4</sup> Iustin. Authent. 123. cap. 3.

<sup>5</sup> Note that in the same Dist. the Can. of Greg. 4. beginning with *Cum Hadrianus* 2. is false, and supposititious, because Gregorie 4. was Pope long before Hadr. 2.

In the yeere of the Lord 963. the Emperour *Otho* tooke away the Popedome from *Iohn* 13. and placed *Leo* 8. in his rounge. In like maner, *Iohn* 14. *Gregory* 5. and *Siluester* 2. were seated in the Papall Throne by the *Othos*.

The Emperour *Henrie* 2. in the yeere 1007. deposed three Popes, namely, *Bendict* 9. *Siluester* 3. and *Gregorie* 6. whom *Platina* doeth not sticke to call, three most detestable and vile monsters.<sup>1</sup> This custome continued, this practise stood in force for diuers aages, euen vntill the times of *Gregorie* 7. by whom the whole West was tossed and turmoiled with lamentable warres, which plagued the world, and the Empire by name with intolerable troubles and mischiefes. For after the said *Gregorian* warres, the Empire fell from bad to worse, and so went on to decay, till Emperours at last were driuen to beg, and receiue the Imperiall Crowne of the Pope.

The Kingdome of *France* met not with so rude entreatie, but was dealt withall by courses of a milder temper. *Gregorie* 4. about the yeere of the Lord, 832, was the first Pope that perswaded himselfe to vse the censure of Excommunication against a King of *France*. This Pope hauing a hand in the troublesome factions of the Realme, was nothing backward to side with the sonnes of *Lewis* surnamed the Courteous, by wicked conspiracie entring into a desperate course and complot against *Lewis* their owne father; as witnesseth *Sigebert* in these words, *Pope Gregorie comming into France, ioyned himselfe to the sonnes against the Emperour their Father*. But *Annals* <sup>2</sup> of the very same times, and hee that furbushed *Aiminius*, a Religious of S. *Benedicts* Order, doe testifie, that all the Bishops of *France* fell vpon this resolution; by no means to rest in the Popes pleasure, or to giue any place vnto his designe: and contrariwise, *In case the Pope should proceed to Excommunication of their King, hee should returne out of France to Rome an excommunicate person himselfe*. The Chronicle of S. *Denis* hath words in this forme: *The Lord Apostolicall returned answere, that hee was not come into France, for any other purpose, but onely to excommunicate the King and his Bishops, if they would bee in any sort opposite vnto the sonnes of Lewis, or disobedient vnto the will and pleasure of his Holinesse: The Prelates enformed heereof, made answere, that in this case they would neuer yeeld obedience to the Excommiuncation of the said Bishops; because it was contrary to the authoritie and aduise of the ancient Canons*.

After these times, Pope *Nicolas* 1. depriued King *Lotharius* of Communion (for in those times not a word of deposing) to make him repudiate or quit *Valdrada*, and to resume or take againe *Thetherga* his former wife. The Articles framed by the French vpon this point, are to bee found in the writing of *Hincmarus*, Archibishop of *Reims*, and are of this purport; that in the iudgement of men both learned and wise, it is an ouerruled case, that as the King whatsoever hee shall doe, ought not by his owne Bishops to be excommunicated, euen so no forreine Bishop hath power to sit for his Iudge: because the King is to be subject onely vnto God, and his Imperiall authoritie, who alone had the all-sufficient

<sup>1</sup> *Tria teterrima monstra.*

<sup>2</sup> *Bochel. Decret. Eccles. Gallican. lib. 2. tit. 16.*



power to settle him in his Kingdome. Moreouer, the Clergie addressed letters of answere vnto the same Pope, full of stinging and bitter termes, with speaches of great scorne and contempt, as they are set downe by *Auentine*,<sup>1</sup> in his Annals of *Bauaria*, not forbearing to call him *thiefe, wolfe, and tyrant*.

When Pope *Hadrian* tooke vpon him like a Lord, to command *Charles* the Bald vpon paine of interdiction, that hee should suffer the Kingdome of *Lotharius* to bee fully and entirely conueyed and conferred vpon *Lewis* his sonne; the same *Hincmarus*, a man of great authoritie and estimation in that aage, sent his letters containeing sundry remonstrances touching that subject: Among other matters thus he writeth, *The Ecclesiastics and Seculars of the Kingdome assembled at Reims, haue affirmed and now doe affirme by way of reproach, vpbraiding, and exprobatation, that neuer was the like Mandate sent before from the See of Rome to any of our predecessours*. And a little after: *The chiefe Bishops of the Apostolike See, or any other Bishops of the greatest authoritie and holinesse, neuer withdrew themselves from the presence, from the reuerend salutation, or from the conference of Emperours and Kings, whether Heretikes, or Schismatikes and Tyrants: as Constantius the Arrian, Iulianus the Apostata, and Maximus the Tyrant*. And yet a little after; *Wherefore if the Apostolike Lord bee minded to seeke peace, let him seeke it so, that he stirre no brawles, and breed no quarrels: For we are no such babes to beleeeue, that we can or euer shall attaine to Gods Kingdome, unlesse wee receiue him for our King in earth, whom God himselfe recommendeth to vs from heauen*. It is added by *Hincmarus* in the same place, that by the said Bishops and Lords Temporall, such threatning words were blowen forth, as hee is afraid once to speake and vtter. As for the King himselfe, what reckoning hee made of the Popes mandates, it appeareth by the Kings owne letters addressed to Pope *Hadrianus*, as we may reade euery where in the Epistles of *Hincmarus*. For there, after King *Charles* hath taxed and challenged the Pope of pride, and hit him in the teeth with a spirit of vsurpation, hee breaketh out into these words: *What Hell hath cast vp this law so crosse and preposterous? what infernall gulph hath disgorged this law out of the darkest and obscurest dennes? a law quite contrary, and altogether repugnant vnto the beaten way shewed vs in the holy Scriptures, &c.* Yea, he flatly and peremptorily forbids the Pope, except he meane or desire to be recompensed with dishonour and contempt, to send any more the like Mandates, either to himselfe, or to his Bishops.

Vnder the reigne of *Hugo Capetus* and *Robert* his sonne, a Councell now extant in all mens hands, was held and celebrated at *Reims* by the Kings authoritie. There *Arnulphus* Bishop of *Orleans*, then Prolocutor and Speaker of the Council, calls the Pope Antichrist, and lets not also to paint him forth like a monster: as well for the deformed and vgly vices of that vnholly See, which then were in their exaltation, as also because the Pope then wonne with presents, and namely with certaine goodly horses, then presented to his Holinesse, tooke part against

<sup>1</sup> Annal. Boio. lib. 4.

the King, with *Arnulphus* Bishop of *Reims*, then dispossessed of his Pastoral charge.

When *Philip* 1. had repudiated his wife *Bertha*, daughter to the Earle of *Holland*; and in her place had also taken to wife *Bertrade* the wife of *Fulco* Earle of *Aniou* yet being alieue; hee was excommunicated, and his Kingdome interdicted by *Vrbanus* then Pope, (though he was then bearded with an Antipope) as the L. Cardinal here giueth vs to vnderstand. But his Lordship hath skipt ouer two principall points recorded in the historie. The first is, that *Philip*, was not deposed by the Pope: whereupon it is to be inferred, that in this passage there is nothing materiall to make for the Popes power against a Kings Throne and Scepter. The other point is, that by the censures of the Pope, the course of obedience due to the King before was not interrupted, nor the King disauowed, refused, or disclaimed: but on the contrary, that *Iuo* of *Charytres* taking Pope *Vrbanus* part, was punished for his presumption, dispoyled of his estate, and kept in prison: whereof he makes complaint himselfe in his 19. and 20. Epistles. The L. Cardinall besides, in my vnderstanding for his Masters honour, should haue made no words of interdicting the whole Kingdome. For when the Pope, to giue a King chastisement, doeth interdict his Kingdome, hee makes the people to beare the punishment of the Kings offence: For during the time of interdiction, the Church doores through the whole Kingdome are kept continually shut and lockt vp: publike service is intermitted in all places: bells euery where silent: Sacraments not administred to the people: bodies of the dead so prostituted and abandoned, that none dares burie the said bodies in holy ground. More, it is beleueed, that a man dying vnder the curse of the interdict (without some speciall indulgence or priuiledge) is for euer damned and adiudged to eternall punishments, as one that dyeth out of the communion of the Church. Put case then the interdict holdeth and continueth for many yeares together; alas, how many millions of poore soules are damned, and goe to hell for an others offence? For what can, or what may the faultlesse and innocent people doe withall, if the King will repudiate his wife, and she yet liuing, ioyned herselfe in matrimonie to an other?

The Lord Cardinall after *Philip* the 1. produceth *Philippus Augustus*,<sup>1</sup> who hauing renounced his wife *Ingeberga* daughter to the King of *Denmarke*, and marrying with *Agnes* daughter to the Duke of *Morauia*, was by Pope Innocent the third interdicted himselfe and his whole Kingdome. But his Lordshippe was not pleased to insert withall, what is auerred in the Chronicle of Saint *Denis*: that Pope *Cælestinus* 3. sent forth two Legats at once vpon this errand:<sup>2</sup> *Who being come into the assemblie and generall Council of all the French Prelats, became like dumbe dogs that can not barke, so as they could not bring the seruice which they had vndertaken to any good passe, because they stood in a bodily feare of their owne hydes. Not long after, the Cardinall of Capua was in the like taking: For hee durst nor bring the Realme within the limits of the interdict, before hee was got out of the*

<sup>1</sup> Examp. 12.

<sup>2</sup> Bochel. pag. 320.



*limits of the Kingdome. The King herewith incensed, thrust all the Prelates that had giuen consent vnto these proceedings out of their Sees, confiscated their goods, &c. To the same effect is that which wee reade in Matthew Paris. After the Pope had giuen his Maiestie to vnderstand by the Cardinal of Anagnia, that his kingdome should be interdicted, vnlesse he would be reconciled to the King of England; the King returned the Pope this answere, that he was not in any sort afraid of the Popes sentence, for as much as it could not be grounded vpon any equitie of the cause: and added withall, that it did no way appertaine vnto the Church of Rome to sentence Kings, especially the King of France. And this was done, saith Iohannes Tilius Register in Court of Parliament of Paris, by the counsell of the French Barons.*

Most notable is the example of *Philip the faire*, and hits the bird in the right eye. In the yeere 1032. the Pope dispatched the Archbishop of *Narbona* with *mandates* into France, commanding the King to release the Bishop of *Apamia* then detained in prison, for contumelious words tending to the Kings defamation, and spoken to the Kings owne head. In very deed this Pope had conceiued a secret grudge, and no light displeasure against King *Philip* before: namely, because the King had taken vpon him the collation of Benefices, and other Ecclesiastical dignities. Vpon which occasion the Pope sent letters to the King of this tenour and style: *Feare God, and keepe his Commandements: Wee would haue thee know, that in Spirituall and Temporall causes thou art subiect vnto our selfe: that collating of Benefices and Prebends, doeth not in any sort appertaine to thy office and place: that, in case as keeper of the Spiritualities, thou haue the custodie of Benefices and Prebends in thy hand when they become voyd, thou shalt by sequestration reserue the fruits of the same, to the vse and benefit of the next Incumbents and successors: and in case thou hast heretofore collated any, we ordaine the said collations to be meerely void: and so farre as herein thou hast proceeded to the fact, we reuoke the said collations. We hold them for hereticks whosoeuer are not of this beliefe. A Legate comes to Paris, and brings these brauing letters: By some of the Kings faithfull seruants they are violently snatched and pulled out of the Legates hands: by the Earle of Artois they are cast into the fire. The good King answeres the Pope, and payes him in as good coyne as he had sent. Philip by the grace of God King of the French, to Boniface calling and bearing himselfe the Soueraigne Bishop, little greeting or none at all. May thy exceeding sottishnesse vnderstand, that in Temporall causes we are not subiect vnto any mortall and earthly creature: that collating of Benefices and Prebends, by Regall right appertaineth to our office and place: that appropriating their fruits when they become void, belongeth to our selfe alone during their vacancie: that all collations by vs heretofore made, or to bee made hereafter, shall stand in force: that in the validitie and vertue of the said collations, wee will euer couragiously defend and maintaine, all Incumbents and possessors of Benefices and Prebends so by vs collated. We hold them all for sots and senselesse, whosoeuer are not of this beliefe. The Pope incensed herewith, excom-*

municates the King: but no man dares publish that censure, or become bearer thereof. The King notwithstanding the said proceedings of the Pope, assembles his Prelates, Barons, and Knights at Paris: askes the whole assembly, of whom they hold their Fees, with al other the Temporalities of the Church. They make answeare with one voice, that in the said matters they disclaime the Pope, and know none other Lord beside his Maiestie. Meane while the Pope worketh with Germanie and the Low Countreis, to stirre them vp against France. But *Philip* sendeth *William* of *Nogaret* into Italy. *William* by the direction and aide of *Sciarra Columnensis*, takes the Pope at *Anagnia*, mounts him vpon a leane ill-fauoured iade, caries him prisoner to Rome; where ouercome with choller, anguish and great indignation, he takes his last leaue of the Popedome and his life. All this notwithstanding, the King presently after, from the successours of *Boniface* receiues very ample and gracious Bulls, in which the memorie of all the former passages and actions is vtterly abolished. Witnessse the Epistle of *Clement* 5.<sup>1</sup> wherein this King is honoured with praises, for a pious and religious Prince, and his Kingdome is restored to the former estate. In that aage the French Nobilitie caried other maner of spirits, then the moderne and present Nobilitie doe: I meane those by whom the L. Cardinal was applauded and assisted in his Oration. Yea, in those former times the Prelates of the Realme stood better affected towards their King, then the L. Cardinal himselfe now standeth: who could finde none other way to dally with, and to shift off this pregnant example, but by plaine glosing, that heresie and Apostasie was no ground of that question, or subiect of that controuersie. Wherein hee not onely condemnes the Pope, as one that proceeded against *Philip* without a iust cause & good ground, but likewise giues the Pope the Lie, who in his goodly letters but a little aboue recited, hath enrowled *Philip*, in the list of heretiques. Hee saith moreouer, that indeed the knot of the question was touching the Popes pretence, in challenging to himselfe the temporall Soueraigntie of France, that is to say, in qualifying himselfe King of France: But indeed and indeed no such matter to be found. His whole pretence was the collating of Benefices, and to pearch aboue the King, to crow ouer his Crowne in Temporall causes. At which pretence his Holinesse yet aimeth, still attributing and challenging to himselfe plenarie power to depose the King. Now if the L. Cardinal shall yet proceed to cauill, that *Boniface* the eighth was taken by the French for an vsurper, and no lawfull Pope, but for one that crept into the Papacie by fraud and symonie; he must be pleased to set downe positiuely who was Pope, seeing that *Boniface* then sate not in the Papall chaire. To conclude, If hee that creepeth and stealeth into the Papacie by symonie, by canuases or labouring of suffrages vnder hand, or by bribery, be not lawfull Pope; I dare be bold to professe, there will hardly be found two lawfull Popes in the three last aages.

<sup>1</sup> Extrauag. Meruit.



Pope *Benedict* in the yeere 1408. being in choller with *Charles* the sixt,<sup>1</sup> because *Charles* had bridled and curbed the gainefull exactions and extorsions of the Popes Court, by which the Realme of France had bene exhausted of their treasure, sent an excommunicatorie Bull into France, against *Charles* the King, and all his Princes. The Vniuersitie of Paris made request or motion that his Bull might be mangled, and Pope *Benedict* himselfe, by some called *Petrus de Luna*, might be declared *heretike, schismaticke, and perturber of the peace*. The said Bull<sup>2</sup> was mangled and rent in pieces, according to the petition of the Vniuersitie, by Decree of Court vpon the tenth of Iune, 1408. Tenne dayes after, the Court rising at eleuen in the morning, two Bul-bearers of the said excommunicatorie censure vnderwent ignominious punishment vpon the Palace or great Hal staires. From thence were led to the *Louure* in such maner as they had bene brought from thence before: drawne in two tumbrels, clad in coates of painted linnen, wore paper-mytres on their heads, were proclaimed with sound of Trumpet, and euery where disgraced with publike derision: So litle reckoning was made of the Popes thundering canons in those dayes. And what would they haue done, if the said Buls had imported sentence of deposition against King *Charles*?

The French Church assembled at *Tours* in the yeere 1510. decreed that *Lewis XII.* might with safe conscience contemne the *abusiue Bulls, and vniust censures of Pope Iulius the II.* and by armes might withstand the Popes vsurpations, in case hee should proceed to excommunicate or depose the King. More, by a Councill holden at *Pisa*, this *Lewis* declared the Pope to bee fallen from the Popedome, and coyned crownes with a stampe of this inscription, *I will destroy the name of Babylon*. To this the L. of *Perron* makes answere, that all this was done by the French, as acknowledging these iars to haue sprung not from the fountaine of Religion, but from passion of state. Wherein he condemneth Pope *Iulius*, for giuing so great scope vnto his publike censures, as to serue his ambition, and not rather to aduance Religion. He secretly teacheth vs besides, that when the Pope vndertakes to depose the King of France, then the French are to sit as Iudges concerning the lawfulnessse or vnlawfulnessse of the cause; and in case they shall finde the cause to be vnlawfull, then to disanull his iudgements, and to scoffe at his thunderbolts.

*Iohn d'Albret* King of Nauarre, whose Realme was giuen by the foresaid Pope to *Ferdinand* King of Arragon, was also wrapped and entangled with strict bands of deposition. Now if the French had bene touched with no better feeling of affection to their King, then the subiects of Nauarre were to the Nauarrois; doubtlesse France had sought a new Lord, by vertue of the Popes (as the L. Cardinall himselfe doeth acknowledge and confesse) vniust sentence. But behold, to make the said sentence against *Iohn d'Albret* seeme the lesse contrary to equitie,

<sup>1</sup> See the treatise of Charles du Moulin contrà paruas Datas, wherein he reporteth a notable Decree of the Court vnder Charles 6.

<sup>2</sup> Theodoric. Niemens in nemore vnion. Tract. 6. & somnium viridarij.

the L. Cardinall pretends, the Popes donation was not indeed the principall cause,<sup>1</sup> howsoever *Ferdinand* himselfe made it his pretence. But his Lo. giues this for the principall cause: that *Iohn d'Albret* had quitted his alliance made with condition; that in case the Kings of Nauarre should infringe the said alliance, and breake the league, then the kingdome of Nauarre should returne to the Crowne of Arragon. This condition, betweene Kings neuer made, and without all shew of probabilitie, serueth to none other purpose from the Cardinals mouth, but onely to insinuate and worke a perswasion in his King, that he hath no right nor lawfull pretension to the Crowne of Nauarre: and whatsoeuer hee now holdeth in the said kingdome of Nauarre, is none of his owne, but by vsurpation and vn-lawfull possession. Thus his Lordship French-borne, makes himselfe an Aduocate for the Spanish King, against his owne King, and King of the French: who shalbe faine, as hee ought (if this Aduocats plea may take place) to draw his title and style of King of Nauarre out of his Royall titles, and to acknowledge that all the great endeouours of his predecessors to recouer the said Kingdome, were dishonourable and vniust. Is it possible, that in the very heart and head Citie of France, a spirit and tongue so licentious can be brooked? What, shall so great blasphemie (as it were) of the Kings freehold, bee powred foorth in so honourable an assembly, without punishment or fine? What, without any contradiction for the Kings right, and on the Kings behalfe? I may perhaps confesse the indignitie might bee the better borne, and the pretence alledged might passe for a poore excuse, if it serued his purpose neuer so little. For how doeth all this touch or come neere the question? in which the Popes vsurpation in the deposing of Kings, and the resolution of the French in resisting this tyrannicall practise, is the proper issue of the cause: both which points are neuer a whit more of the lesse consequence and inportance, howsoever *Ferdinand* in his owne iustification stood vpon the foresaid pretence. Thus much is confessed, and wee aske no more: Pope *Iulius* tooke the Kingdome from the one, and gaue it vnto the other: the French thereupon resisted the Pope, and declared him to be fallen from the Papacie.

This noble spirit and courage of the French, in maintayning the dignitie and honour of their Kings Crownes, bred those ancient customes, which in the sequence of many aages haue bene obserued and kept in vse. This for one: That no Legate of the Pope, nor any of his rescripts nor *mandates*,<sup>2</sup> are admitted and receiued in France, *without licence from the King*: and vnlesse the Legate impart his faculties to the Kings Attorney Generall, to be perused and verified in Court of Parliament: where they are to be tyed by certaine modifications and restrictions, vnto such points as are not derogatorie from the Kings right, from the liberties of the Church, and from the ordinances of the Kingdome. When Cardinal *Balua*,<sup>3</sup> contrary to this ancient forme, entred France in the yeere 1484. and there

<sup>1</sup> Pag. 51.<sup>2</sup> Bohellus.<sup>3</sup> Pag. 26. Nisi de consensu Regis Christianissimi.



without leaue of the King did execute the office, & speed certaine Acts of the Popes Legate; the Court vpon motion made by the Kings Attorney Generall, decreed a Commission, to be informed against him by two Councillors of the the said Court, and inhibited his further proceeding to vse any facultie or power of the Popes Legate, vpon paine of beeing proclaimed rebell.

In the yeeré 1561. *Iohannes Tanquerellus* Batchelour in Diuinitie, by order of the Court was condemned to make open confession, that hee had *indiscreetly and rashly*<sup>1</sup> *without consideration* defended this proposition, *The Pope is the Vicar of Christ, a Monarke that hath power both Spirituall and Secular, and he may deprive Princes, which rebell against his commandements, of their dignities.* Which proposition, howsoever he protested that he had propounded the same *onely to be argued, and not iudicially to be determined*<sup>2</sup> in the affirmatiue, *Tanquerellus* neuerthelessse was compelled openly to recant. Here the L. Cardinall answeres; The historie of *Tanquerellus* is from the matter, because his proposition treateth neither of Heresie nor of Infidelitie: but I answer, The said proposition treateth of both, forasmuch as it maketh mention of disobedience to the Pope. For I suppose hee will not denie, that whosoever shall stand out in Heresie, contrary to the Popes monitorie proceedings, he shal shew but poore and simple obedience to the Pope. Moreouer, the case is cleare by the former examples, that no Pope will suffer his power to cast downe Kings, to be restrained vnto the cause of Heresie and Infidelitie.

In the heate of the last warres, raised by that holy-prophane League, admonitory Bulls were sent by Pope *Gregorie* 14. from *Rome*, Anno 1591. By these Bulls King *Henrie* 4. as an Heretike and relapse, was declared incapable of the Crowne of *France*, and his Kingdome was exposed to hauocke and spoile. The Court of Parliament being assembled at *Tours* the 5. of August, decreed the said admonitory Bulls to bee cancelled, torne in pieces, and cast into a great fire by the hand of the publike executioner. The Arrest it selfe or Decree is of this tenour: *The Court duely pondering and approoying the concludng and vnanswerable reasons of Kings Attorney Generall, hath declared, and by these present doeth declare, the admonitory Bulls giuen at Rome the 1. of March 1591. to be of no validitie, abusive, seditious, damnable, full of impietie and impostures, contrary to the holy decrees, rights, franchises, and liberties of the French Church: doeth ordeine the Copies of the said Bulls, sealed with the seale of Marsilius Landrianus, and signed Septilius Lamprius, to bee rent in pieces by the publike executioner, and by him to be burnt in a great fire to be made for such purpose, before the great gates of the common Hall or Palace, &c.* Then, euen then the L. of *Perron* was firme for the better part, and stood for his King against *Gregorie* the Pope, notwithstanding the crime of heresie pretended against *Henrie* his Lord.

All the former examples by vs alledged, are drawn out of the times after Schooles of Diuinitie were established in *France*: For I thought good to bound my

<sup>1</sup> *Indiscretè ac inconsideratè.*

<sup>2</sup> *Doctrinaliter tantum & non iuridicè.*

selfe within those dooles and limits of time, which the L. Cardinal himselfe hath set. Who goeth not sincerely to worke and in good earnest, where he telleth vs there be three instances (as if wee had no more) objected against Papall power, to remooue Kings out of their chaires of State: by name, *the example of Philip the Faire*,<sup>1</sup> of Lewis XII. and of Tanquerellus: For in very trewth all the former examples by vs produced, are no lesse pregnant and euident, howsoeuer the L. Cardinall hath bene pleased to conceale them all for feare of hurting his cause.

Nay, *France* euen in the dayes of her sorest seruitude, was neuer vnfurnished of great Diuines, by whom this vsurped power of the Pope, ouer the Temporalties and Crownes of Kings, hath beene vtterly misliked and condemned.

*Robert Earle of Flanders* was commanded by Pope *Paschal 2.* to persecute with fire and sword the Clergie of *Liege*, who then adhered and stood to the cause of the Emperour *Henrie 4.* whom the Pope had ignominiously deposed. *Robert* by the Popes order and command, was to handle the Clergie of *Liege* in like sort as before hee had serued the Clergie of *Cambray*, who by the said Earle had beene cruelly stript both of goods and life: The Pope promised the said Earle and his army pardon of their sinnes for the said execution. The Clergie of *Liege* addressed answeere to the Pope at large: They cried out vpon the Church of *Rome*, and called her *Babylon*: Told the Pope home, that God had commanded to giue vnto *Cæsar* that which is *Cæsars*: that euery soule must bee subiect vnto the superiour powers: that no man is exempted out of this precept: and that euery oath of alleagiance is to be kept inuiolable; yea, that hereof they themselues are not ignorant, in as much as they by a new Schisme, and new traditions, making a separation and rent of the Priesthood from the Kingdome, doe promise to absolue of periurie, such as haue perfidiously forsworne themselues against their King. And whereas by way of despight and in opprobrious maner, they were excommunicated by the Pope, they gaue his Holinesse to vnderstand, that *Dauids heart had vttered a good matter, but Paschals heart had spewed vp sordid and railing words, like old bawdes and spinsters or websters of linnen, when they scold and brawle one with another.* Finally, they reiected his Papal excommunication, as a sentence giuen without discretion. This was the voyce and free speach of that Clergie, in the life time of their noble Emperour: But after hee was thrust out of the Empire by the rebellion of his owne sonne, instigated and stirred vp thereunto by the Popes perswasion and practise, and was brought vnto a miserable death; it is no matter of wonder, that for the safegard of their life, the said Clergie were driuen to sue vnto the Pope for their pardon.

*Hildebert*<sup>2</sup> Bishop of *Cænomanum* vpon the riuer of *Sartre*, liuing vnder the reigne of King *Philip* the first, affirmeth in his Epistles 40. and 75. that *Kings are to bee admonished and instructed, rather then punished: to be dealt with by counsell rather then by command, by doctrine and instruction, rather then by correction: For no such sword belongeth to the Church, because the sword of the Church is Ec-*

<sup>1</sup> Page 47.

<sup>2</sup> Bibliotheca Patrum. Tom. 3.



*clesisticall discipline, and nothing else. Bernard*<sup>1</sup> *writeth to Pope Eugenius after this manner: Whosoever they bee that are of this mind and opinion, shall neuer be able to make prooffe, that anyone of the Apostles did euer sit in qualitie of Iudge or Diuider of lands. I reade where they haue stood to bee iudged, but neuer where they sate downe to giue iudgement. Againe, Your authoritie stretcheth vnto crimes, not vnto possessions: because you haue receiued the keies of the kingdome of heauen, not in regard of possessions, but of crimes, to keepe all that pleade by couin or collusion, and not lawfull possessors, out of the heauenly kingdome. A little after: These base things of the earth are iudged by the Kings and Princes of this world: wherefore doe you thrust your sickle into an others haruest? wherefore doe you incroach and intrude vpon an others limits? Elsewhere: The Apostles are directly forbid to make themselues Lords and rulers. Goe thou then, and beeing a Lord vsurpe Apostleship, or beeing an Apostle vsurpe Lordship. If thou needs wilt haue both, doubtlesse thou shalt haue neither.*<sup>2</sup>

*Iohannes Maior Doctor of Paris:*<sup>3</sup> *The Soueraigne Bishop hath no temporall authoritie ouer Kings. The reason: Because it followes (the contrarie being once granted) that Kings are the Popes vassals. Now let other men iudge, whether he that hath power to dispossesse Kings of all their Temporalities, hath not likewise authoritie ouer their Temporalities.*

*The same Author:*<sup>4</sup> *The Pope hath no manner of title ouer the French or Spanish Kings in temporall matters. Where it is further added, That Pope Innocent 3. hath beene pleased to testifie, that Kings of France in Temporall causes doe acknowledge no superiour: For so the Pope excused himselfe to a certaine Lord of Montpellier, who in stead of suing to the King, had petitioned to the Pope for a dispensation for his bastard. But perhaps (as he speaketh) it will be alledged out of the glosse, that hee acknowledgeth no superiour by fact, and yet ought by right. But I tell you the glosse is an Aurelian glosse, which marres the text. Amongst other arguments, Maior brings this for one: This opinion ministreth matter vnto Popes, to take away an others Empire by force and violence: which the Pope shall neuer bring to passe, as we reade of Boniface 8. against Philip the Faire: Saith besides, That from hence proceede warres, in time of which many outrageous mischiefes are done, and that Gerson calls them egregious flatterers by whom such opinion is maintained. In the same place Maior denies that Childeric was deposed by Pope Zacharie: The word, Hee deposed, saith Maior, is not so to bee vnderstood, as it is taken at the first blush or sight; but hee deposed, is thus expounded in the glosse, Hee gaue his consent vnto those by whom he was deposed.*

*Iohn of Paris:*<sup>5</sup> *Were it graunted that Christ was armed with Temporall power, yet he committed no such power to Peter. A little after: The power of Kings is the highest power vpon earth: in Temporall causes it hath no superiour power aboue it selfe, no more then the Pope hath in spirituall matters. This author saith indeede,*

<sup>1</sup> De consider. lib. 1. cap. 6.

<sup>2</sup> Lib. 2. cap. 6.

<sup>3</sup> Dist. 24. quest. 3.

<sup>4</sup> Comment in l. 4. Sent. Dist. 24 fol. 214.

<sup>5</sup> De potest. Regia & Papali cap. 10.

the Pope hath power to excommunicate the King; but he speaketh not of any power in the Pope to put downe the King from his regall dignity and authority: He onely saith, When a Prince is once excommunicated, hee may accidentally or by occasion be deposed: because his precedent excommunication, incites the people to disarm him of all secular dignity and power. The same Iohn on the other side holdeth opinion; that *in the Emperour there is inuested a power to depose the Pope, in case the Pope shall abuse his power.*

*Almainus*<sup>1</sup> Doctor of the Sorbonic schoole: *It is essentiall in the Lay-power to inflict ciuill punishment, as death, banishment, and priuation or losse of goods. But according to diuine institution, the power Ecclesiasticall can lay no such punishment vpon delinquents: nay more, not lay in prison, as to some Doctors it seemeth probable: but stretcheth and reacheth onely to spirituall punishment, as namely to excommunication: all other punishments inflicted by the spirituall power, are meere by the Lawe positie.*<sup>2</sup> If then Ecclesiasticall power by Gods Lawe hath no authoritie to depriue any priuate man of his goods; how dares the Pope and his flatterers build their power to depriue Kings of their scepters vpon the word of God?

The same author in an other place:<sup>3</sup> *Bee it graunted that Constantine had power to giue the Empire vnto the Pope; yet is it not hereupon to bee inferred, that Popes haue authority ouer the Kingdome of France, because that Kingdome was neuer subiect vnto Constantine: For the King of France neuer had any superiour in Temporall matters. A little after: It is not in any place to bee found, that God hath giuen the Pope power to make and vnmake Temporall Kings.*

He maintaineth elsewhere,<sup>4</sup> that *Zacharie* did not depose *Childeric*, but onely consented to his deposing; and so deposed him not as by authoritie. In the same booke,<sup>5</sup> taking vp the words of *Occam*, whom he styles the Doctor: *The Emperour is the Popes Lord in things Temporall, and the Pope calls him Lord, as it is witnessed in the body of the Text.*<sup>6</sup> The Lord Cardinall hath dissembled and concealed these words of Doctor *Almainus*, with many like places: and hath beene pleased to alledge *Almainus* reciting *Occams* authoritie, in stead of quoting *Almainus* himselfe in those passages, where he speaketh as out of his owne opinion, and in his owne words. A notable piece of slie and cunning conueiance: For what heresie may not be fathered and fastened vpon *S. Augustine*, or *S. Hierome*, if they should be deemed to approoue all the passages which they alledge out of other authors? And that is the reason wherefore the L. Cardinall doeth not alledge his testimonies whole and perfect, as they are couched in their proper texts, but clipt and curtailed. Thus he dealeth euen in the first passage or testimonie of

<sup>1</sup> *Almain. de potest. Eccl. & Laica Quest. 2. cap. 8.*

<sup>2</sup> *De dominio naturali ciuil & Eccl. 5. vlt. pars.*

<sup>3</sup> *Quæst. 1. de potest. Eccles. & laic. c. 12 & 14.*

<sup>4</sup> *Quæst. 2. c. 8. & sic non deposuit auctoritatiue.*

<sup>5</sup> *Quæ. 3. c. 2.*

<sup>6</sup> *Quæst. 11. can. Sacerd.*



*Almainus*; he brings it in mangled and pared: he hides and conceales the words added by *Almainus*, to contradict and crosse the words going before: For *Almainus* makes this addition and supply; *Howsoever some other Doctors doe stand for the negatiue, and teach the Pope hath power onely to declare that Kings and Princes are to be deposed.* And so much appeareth by this reason; because this ample and Soueraigne power of the Pope, might giue him occasion to be puffed vp with great pride, and the same fulnesse of power might prooue extremely hurtfull to the subiects, &c.

The same *Almainus* <sup>1</sup> brings in *Occams* opinion in expresse tearmes deciding the question, and there ioynes his owne opinion with *Occams*. *The Doctors opinion*, saith *Almainus*, *doeth simply carrie the most probabilitie; that a Pope hath no power, neither by excommunication, nor by any other meanes, to depose a Prince from his Imperiall and Royall dignitie.* And a little before <sup>2</sup> hauing maintained the Greeke Empire was neuer transported by the Pope to the Germanes, and that when the Pope crownes the Emperour, he doeth not giue him the Empire, no more then the Archbishop of Reims when he crownes the king of France, doth giue him the kingdome; he drawes this conclusion according to *Occams* opinion: *I denie that an Emperour is bound by oath to promise the Pope allegiance. On the other side, if the Pope hold any Temporall possessions, hee is bound to sweare allegiance vnto the Emperour, and to pay him tribute.* The said *Occam* alledged by *Almainus* doeth further auerre, that *Iustinian* was acknowledged by the Pope for his superiour in Temporall causes: for as much as diuers Lawes which the Pope is bound to keepe and obserue, were enacted by *Iustinian*; as by name the Law of prescription for an hundred yeeres: which Law standeth yet in force against the Bishop of Rome. And to the end that all men may clearly see, how great distance there is betweene *Occams* opinion and the L. Cardinals, who towards the end of his Oration, exhorts his hearers at no hand to dissent from the Pope; take you here a view of *Occams* owne words, as they are alledged by *Almainus*: <sup>3</sup> *The Doctor assoyles the arguments of Pope Innocent, by which the Pope would prooue out of these words of CHRIST, Whatsoever thou shalt binde, &c. that fulnesse of power in Temporall matters, belongeth to the Soueraigne Bishop: For Innocent saith, Whatsoever, excepteth nothing: But Occam assoyles Innocents authoritie, as not onely false, but also hereticall; and saith withall, that many things are spoken by Innocent, which by his leaue sauour and smell of heresie, &c.*

The L. Cardinall <sup>4</sup> with lesse fidelitie alledgeth two places out of *Thomas* his Summe. The first, in the second of his second, Quest. 10. Art. 10. in the body of the Article; In which place (let it bee narrowly examined) *Thomas* will easily bee found to speake, not of the subiection of beleeuing Subiects vnder Infidel Kings, as the Lord Cardinall pretendeth, but of beleeuing seruants that liue vnder Masters, whether Iewes or Infidels: As when a Iew keepeth seruants which professe

<sup>1</sup> Quæst. 2. de potest. Eccl. & Laic. cap. 12.

<sup>2</sup> In cap. 9. 10. & 11.

<sup>3</sup> Quest. 1. cap. 14.

<sup>4</sup> Pag. 40.

*Iesus Christ*; or as when some of the faithfull kept in *Cæsars* house; who are not considered by *Thomas* as they were subiects of the Empire, but as they were seruants of the family. The other place is taken out of Quest. 11. and 2. Art. in the body of the article: where no such matter as the L. Cardinal alledgeth can be found.

With like fidelitie he taketh *Gerson* in hand:<sup>1</sup> who indeed in his booke of Ecclesiasticall power, and 12. Consider. doeth affirme, *When the abuse of Secular power redoundeth to manifest impugning of the faith, and blaspheming of the Creator, then shall it not bee amisse to haue recourse vnto the last branch of this 12. Consider. where, in such case as aforesaid, a certaine regitiue, directiue, regulative, and ordainatiue authoritie is committed to the Ecclesiasticall power.* His very words: which make no mention at all of deposing, or of any compulsiue power ouer Soueraigne Princes: For that forme of rule and gouernment whereof *Gerson* speaketh, is exercised by Ecclesiasticall censures and excommunications; not by losse of goods, of Kingdomes, or of Empires. This place then is wrested by the L. Cardinall to a contrary sense. Neither should his Lordship haue omitted, that *Gerson*, in the question of Kings subiection in Temporall matters, or of the dependance of their Crownes vpon the Popes power, excepteth alwayes the King of France: witnesse that which *Gerson* a little before the place alleadged by the Cardinall, hath plainely affirmed: *Now since Peters time, saith Gerson, all Imperiall, Regall, and Secular power is not immediatly to draw vertue and strength from the Soueraigne Bishop: as in this maner the most Christian King of France hath no Superiour, nor acknowledgeth any such vpon the face of the earth.* Now here need no great sharpenesse of wit for the searching out of this deepe mysterie; that if the Pope hath power to giue or take away Crowns for any cause or any pretended occasion whatsoever, the Crowne of France must needs depend vpon the Pope.

But for as much as we are now hit in with *Gerson*, we will examine the L. Cardinals allegations<sup>2</sup> towards the end of his Oration, taken out of *Gersons* famous Oration made before *Charles* the 6. for the Vniuersitie of Paris: where he brings in *Gerson* to affirme, *That killing a Tyrant is a sacrifice acceptable to God.* But *Gerson* (let it be diligently noted) there speaketh not in his owne person: he there brings in sedition speaking the words: Of which wordes vttered by sedition, and other like speeches, you shall now heare what iudgement *Gerson* himselfe hath giuen. *When sedition had spoken with such a furious voyce, I turned away my face as if I had bene smitten with death, to shew that I was not able to endure her madnesse any longer.* And indeed when dissimulation on the one side, and sedition on the other, had suggested the deuises of two contrary extremes, hee brings forth *Discretion* as a Iudge, keeping the meane betweene both extremes, and vttering those words which the L. Cardinall alledgeth against himselfe. *If the head, (saith*

<sup>1</sup> Pag. 44.

<sup>2</sup> Pag. 108. 109. 119. where the Card. takes Char. 7. for Charl. 6.



Gerson) or some other member of the ciuill body, should grow to so desperate a passe, that it would gulpe and swallow downe the deadly poyson of tyrannie; euery member in his place, with all power possible for him to raise by expedient meanes, and such as might preuent a greater inconuenience, should set himselfe against so madde a purpose, and so deadly practise: For if the head be grieued with some light paine, it is not fit for the hand to smite the head: no that were but a foolish and a mad part: Nor is the hand forthwith to chop off or separate the head from the body, but rather to cure the head with good speach and other meanes, like a skilfull and wise Physitian: Yea nothing would be more cruel or more voyd of reason, then to seeke to stop the strong and violent streame of tyrannie by sedition. These words, me thinke, doe make very strongly and expresly against butchering euen of Tyrannical Kings. And whereas a little after the said passage, he teacheth to expell Tyrannie, he hath not a word of expelling the Tyrant, but onely of breaking and shaking off the yoke of Tyrannie. Yet for all that, he would not haue the remedies for the repressing of Tyrannie, to be fetcht from the Pope, who presumeth to degrade Kings, but from *Philosophers, Lawyers, Diuines, and personages of good conuersation*. It appeareth now by all that hath bin said before, that whereas Gerson in the 7. Considerat. against Flatterers, doeth affirme: *Whensoeuer the Prince doeth manifestly pursue and prosecute his naturall subiects, and shew himselfe obstinately bent with notorious iniustice, to vex them of set purpose, and with full consent, so farre as to the fact; then this rule and law of Nature doeth take place, It is lawfull to resist and repell force by force; and the sentence of Seneca, There is no sacrifice more acceptable to God, then a tyrant offered in sacrifice;* the words, *doeth take place*, are so to be vnderstood, as he speaketh in another passage, to wit, with or amongst seditious persons. Or else the words, *doeth take place*, doe onely signifie, *is put in practise*. And so Gerson there speaketh not as out of his owne iudgement.

His Lordship also should not haue balked and left out *Sigebertus*, who with more reason might haue passed for French, then *Thomas* and *Occam*, whom hee putteth vpon vs for French. *Sigebertus* in his Chronicle vpon the yeere 1088. speaking of the Emperours deposing by the Pope, hath words of this tenour: *This Heresie was not crept out of the shell in those dayes, that his Priests, who hath said to the King Apostata, and maketh an hypocrite to rule for the sinnes of the people, should teach the people they owe no subiection vnto wicked Kings, nor any alleagiance, notwithstanding they haue taken the oath of alleagiance.*

Now after the L. Cardinall hath coursed in this maner through the histories of the last aages (which in case they all made for his purpose, doe lacke the weight of authority) in stead of searching the will of God in the sacred Oracles of his word and standing vpon examples of the ancient Church; at last, leauing the troupe of his owne allegations, he betakes himselfe to the sharpening and rebating of the points of his aduersaries weapons.

For the purpose, he brings in his aduersaries, the champions of Kings Crownes, & makes them to speake out of his own mouth (for his Lordship saith it will be

objected) after this manner:<sup>1</sup> *It may come to passe, that Popes either caried with passion, or misled by sinister information, may without iust cause fasten vpon Kings the imputation of heresie or apostasie.* Then for King-deposers he frames this answer: *That by heresie they vnderstand notorious heresie, and formerly condemned by sentence of the Church. Moreouer, in case the Pope hath erred in the fact, it is the Clergies part adhering to their King, to make remonstrances vnto the Pope, and to require the cause may be referred to the iudgement of a full Councel, the French Church then and there being present.* Now in this answer, the L. Cardinall is of another mind then *Bellarmino* his brother Cardinall: For hee goes thus farre,<sup>2</sup> That a Prince condemned by vniust sentence of the Pope, ought neuerthelesse to quit his Kingdome, and that his Pastors vniust sentence shall not redound to his detriment; provided that hee giue way to the said sentence, and shew himselfe not refractarie, but stay the time in patience, vntil the holy Father shall renounce his error, and reuoke his foresaid vniust sentence. In which case these two material points are to be presupposed: The one, That he who now hath seized the kingdome of the Prince displaced, wil forthwith (if the Pope shall sollicit and intercede) returne the Kingdome to the hand of the late possessor: The other, That in the *interim* the Prince vniustly deposed, shall not need to feare the bloody murderers mercilesse blade and weapon. But on the other side, the Popes power of so large a size, as *Bellarmino* hath shaped, is no whit pleasing to the L. Cardinals eye. For in case the King should be vniustly deposed by the Pope *not well informed*, he is not of the minde the Kingdome should stoupe to the Popes behests, but will rather haue the Kingdome to deale by remonstrance, and to referre the cause unto the Council: Wherein he makes the Council to be of more absolute and supreme authority then the Pope; a straine to which the holy father will neuer lend his eare. And yet doubtlesse, the Council required in this case must be vniuersall; wherein the French, for so much as they stand firme for the King and his cause, can be no Iudges: and in that regard the L. Cardinal requireth onely the presence of the French Church. Who seeth not here into what pickle the French cause is brought by this meanes? The Bishops of *Italie* forsooth, of *Spaine*, of *Sicilie*, of *Germanie*, the subiects of Soueraignes many times at professed or priuie enmitie with *France*, shall haue the cause compromitted and referred to their iudgement, whether the Kingdome of *France* shall driue out her Kings, and shall kindle the flames of seditious troubles, in the very heart and bowels of the Realme. But is it not possible, that a King may lacke the loue of his owne subiects, and they taking the vantage of that occasion, may put him to his trumps in his owne Kingdome? Is it not possible, that calumniation whereby a credulous Pope hath beene seduced, may in like maner deceiue some part of a credulous people? Is it not possible that one part of the people may cleaue to the Popes Faction, another may hold and stand out for the Kings rightfull cause, and ciuill warres may be kindled by the splene of these two sides? Is it not possible,

<sup>1</sup> Pag. 52. & sequentibus.<sup>2</sup> Aduers. Barclaium.



that his Holinesse will not rest in the remonstrances of the French, and will no further pursue his cause? And whereas now a dayes a Generall Councill cannot be held, except it be called and assembled by the Popes authority; is it credible, the Pope will take order for the conuocation of a Council, by whom he shall be iudged? And how can the Pope be President in a Councill, where himselfe is the party impleaded? and to whom the sifting of his owne sentence is referred, as it were to Committies, to examine whether it was denounced according to Law, or against Iustice? But in the meane time, whilst all these remonstrances and addresses of the Council are on foot; behold, the Royall Maiestie of the King hangeth as it were by loose gimmals, and must stay the iudgement of the Council to whom it is referred. Well: what if the Councill should happe to be two or three yeeres in assembling, and to continue or hold eightene yeeres, like the Councill of *Trent*; should not poore *France*, I beseech you, be reduced to a very bad plight? should she not be in a very wise and warme taking? To be short; His Lordships whole speach for the vntying of this knot, not onely surmounteth possibilitie, but is stufte with ridiculous toyes. This I make manifest by his addition in the same passage. *If the Pope deceiued in fact, shall rashly and vnjustly declare the King to be an heretike; then the Popes declaration shall not be seconded with actual deposition, vnles the Realme shall consent vnto the Kings deposing.* What needes any man to bee instructed in this doctrine? Who doth not knowe, that a King, so long as he is vpheld and maintained in his Kingdome by his people, cannot actually and effectually be deposed from his Throne? Hee that speaketh such language and phrase, in effect saith, and saith no more then this: A King is neuer depriued of his Crowne, so long as he can keepe his Crowne on his head: a King is neuer turned and stript naked, so long as he can keepe his cloathes on his backe: a King is neuer deposed, so long as he can make the stronger partie and side against his enemies: in brieft, a King is King, and shall still remaine King, so long as he can hold the possession of his Kingdome, and sit fast in his Chaire of Estate. Howbeit, let vs here by the way, take notice of these words vttered by his Lordship: *That for the deposing of a King, the consent of the people must be obtained:* For by these words the people are exalted about the King, and are made the Iudges of the Kings deposing.

But here is yet a greater matter: For that Popes may erre in faith, it is acknowledged by Popes themselues:<sup>1</sup> For some of them haue condemned Pope *Honorius* for a Monothelite: S. *Hierome*, and S. *Hilarius*, and S. *Athanasius* doe testifie, that Pope *Liberius* started aside, and subscribed to *Arrianisme*: Pope *Iohn* 23. was condemned in the Councill of *Constance*, for maintaining there is neither hell nor heauen: Diuerse other Popes haue been tainted with error in faith. If therefore any Pope hereticall in himselfe, shall depose an Orthodoxe King for heresie; can it be imagined, that he which boasts himselfe to beare all

<sup>1</sup> Can. Si Papa, Dist. 40. Nisi sit a fide deuius.

diuine and humane lawes in the priuy coffer or casket of his breast,<sup>1</sup> will stoope to the remonstrances of the French, and vayle to the reasons which they shall propound, though neuer so iustificable, and of neuer so great validitie? And how can he, that may be infected with damnable heresie (when himselfe is not alwayes free from heresie) be a iudge of heresie in a King? In this question some are of opinion, that as a man, the Pope may fall into error, but not as Pope. Very good: I demand then vpon the matter, wherefore the Pope doth not instruct and reforme the man? or wherefore the man doth not require the Popes instructions? But whether a King be deposed by that man the Pope, or by that Pope the man, is it not all one? is he not deposed? Others affirme, the Pope may erre in a question of the fact, but not in a question of the right. An egregious gullery and imposture: For if he may be ignorant whether Iesus Christ died for our sinnes, doubtles he may also be to seeke, whether we should repose all our trust and assured confidence in the death of Christ. Consider with me the Prophets of olde: They were all inspired and taught of God, to admonish and reprove the Kings of Iudah and Israel: they neither erred in matter of fact, nor in point of right: they were as farre from being blinded and fetcht ouer by deceitfull calumniationes, as from beeing seduced by the painted shew of corrupt and false doctrine: As they neuer trode awry in matter of faith: so they neuer whetted the edge of their tongue or style against the faultlesse. Had it not beene a trimme deuice in their times, to say, that as *Esay* and as *Daniel* they might haue sunke into heresie, but not as Prophets? For doubtlesse in this case, that *Esay* would haue taken councell of the Prophet which was himselfe. To be short; If Kings are onely so long to be taken for Kings, vntill they shall be declared heretikes, and shall be deposed by the Pope; they continually stand in extreame danger, to vndergoe a very heavy and vniust sentence. Their safeth way were to know nothing, and to beleue by proxie; least, if they should happen to talke of God, or to thinke of religion, they should be drawne for heretikes into the Popes Inquisition.

All the examples hitherto produced by the Lord Cardinall on a rowe, are of a latter date, they lacke weight, are drawne from the time of bondage, and make the Popes themselues witnesses in their owne cause: They descant not vpon the point of deposition, but onely strike out and sound the notes of excommunication and interdiction, which make nothing at all to the musicke of the question. And therefore hee telleth vs (in kindnesse as I take it) more oftentimes then once or twice, that hee speaketh onely of the fact; as one that doeth acknowledge himselfe to bee out of the right: Hee relates things done, but neuer what should bee done: which, as the Iudicious know, is to teach nothing.

<sup>1</sup> Omnia jura in scrinio pectoris.



## THE SECOND INCONVENIENCE EXAMINED.

THE second Inconuenience like to grow, (as the Lord Cardinall seemeth to be halfe afraid) <sup>1</sup> if the Article of the third Estate might haue passed with approbation, is couched in these words: *Lay-men shall by authoritie bee strengthened with power, to iudge in matters of Religion; as also to determine the doctrine comprised in the said Article to haue requisite conformitie with Gods word: yea they shall haue it in their hands to compell Ecclesiastics by necessitie, to sweare, preach, and teach the opinion of the one side, as also by Sermons and publike writings to impugne the other.* This inconuenience he aggrauateth with swelling words, and breaketh out into these vehement exclamations: *O reproach, O scandall, O gate set open to a world of heresies.* He therefore laboureth both by reasons, and by authorities of holy Scripture, to make such vsurped power of Laics, a fowle, shameful, and odious practise. In the whole, his Lordship toyles himselfe in vaine, & maketh suppositions of castles in the aire. For in preferring this Article, the third Estate haue born themselues not as iudges or vmpires, but altogether as petitioners: requesting the said Article might be received into the number of the Parliament bookes to bee presented vnto the King and his Counsell, vnto whom in all humilitie they referred the iudgment of the said Article; conceiuing all good hope the Clergie and Nobilitie would be pleased to ioine for the furtherance of their humble petition. They were not so ignorant of State-matters, or so vnmindfull of their owne places and charges, to beare themselues in hand, that a petition put vp and preferred by the third Estate, can carry the force of a Law or Statute, so long as the other two Orders withstand the same, and so long as the King himselfe holds backe his Royall consent. Besides, the said Article was not propounded as a point of Religious doctrine; but for euer after to remaine and continue a fundamentall Law of the Common-wealth and State it selfe, the due care whereof was put into their handes, and committed to their trust. If the King had ratified the said Article with Royall consent, and had commanded the Clergie to put in execution the contents thereof; it had bene their duetie to see the Kings will and pleasure fulfilled, as they are subiects bound to giue him aide in all things, which may any way serue to procure the safetie of his life, and the tranquillitie of his Kingdome: Which if the Clergie had performed to the vttermost of their power, they had not shewed obedience as vnderlings, vnto the third Estate, but vnto the King alone; by whom such command had bene imposed, vpon suggestion of his faithfull subiects, made the more watchfull by the negligence of the Clergie; whom they perceiue to be lincked with stricter bandes vnto the Pope, then they are vnto their King. Here then the Cardinall fights with meere shadowes, and moues a doubt whereof his aduersaries haue not so much as once thought in a dreame: But yet, according to his great dexteritie and nimblenesse of spirit, by this deuice he cunningly takes vpon him to giue the King a lesson with more

<sup>1</sup> Pag. 86.

libertie; making semblance to direct his masked Oration to the Deputies of the people, when hee shooteth in effect, and pricketh at his King, the Princes also and Lords of his Counsell, whom the Cardinall compriseth vnder the name of Laics; whose iudgment (it is not vnlikely) was apprehended much better by the Clergie, then the iudgement of the third Estate. Now these are the men whom he tearmes intruders into other mens charges, and such as open a gate for I wot not how many legions of heresies, to rush into the Church: For if it be proper to the Clergie and their Head, to iudge in this cause of the Right of Kings; then the King himselfe, his Princes, and Nobilitie, are debarred and wiped of all iudgement in the same cause, no lesse then the representatiue body of the people.

Well then, the L. Cardinall<sup>1</sup> showres downe like haile sundry places and testimonies of Scripture, where the people are commanded to haue their Pastors in singular loue, and to beare them all respects of due obseruance. Be it so; yet are the said passages of Scripture no barre to the people, for their vigilant circumspection, to preserue the life and Crowne of their Prince, against all the wicked enterprises of men stirred vp by the Clergie, who haue their Head out of the Kingdome, and hold themselues to be none of the Kings subiects: a thing neuer spoken by the sacrificing Priests and Prelates, mentioned in the passages alleadged by the Lord Cardinal. He likewise produceth two Christian Emperours,<sup>2</sup> *Constantine* and *Valentinian* by name; the first refusing to meddle with iudgement in Episcopall causes: the other forbearing to iudge of subtile Questions in Diuinity, with protestation, that *Hee would neuer bee so curious, to diue into the streames, or sound the bottome of so deepe matters*. But who doth not know, that working and prouiding for the Kings indemnity and safetie, is neither Episcopall cause, nor matter of curious and subtile inquisition? The same answer meets with all the rest of the places produced by the L. Cardinal out of the Fathers. And that one for example, out of *Gregory Nazianzenus*,<sup>3</sup> is not cited by the Cardinall with faire dealing. For *Gregory* doeth not boord the Emperour himselfe, but his Deputy or L. President, on this maner: *For we also are in authoritie and place of a Ruler, we haue command aswell as your selfe*:<sup>4</sup> whereas the L. Cardinal with foule play, turnes the place in these termes, *We also are Emperours*. Which words can beare no such interpretation, as well because he to whom the Bishop then spake, was not of Imperiall dignitie; as also because if the Bishop himselfe, a Bishop of so small a citie as *Nazianzum*, had qualified himselfe Emperour, hee should haue passed all the bounds of modestie, and had shewed himselfe arrogant aboue measure. For as touching subiection due to Christian Emperours, hee freely acknowledgeth a little before, *that himselfe and his people are subiect vnto the superiour powers*,<sup>5</sup> *yea bound to pay them tribute*. The historie of the same *Gregories* life doeth testifie, that he was drawn by the *Arrians* before the Consuls iudgement seate, and from thence returned acquitted, without either stripes or any other kinde of con-

<sup>1</sup> Pag. 61.<sup>2</sup> Orat. ad ciues timore percultos.<sup>3</sup> ὑποτελεῖς φόρον.<sup>4</sup> Pag. 68.<sup>5</sup> ἄρχομεν γὰρ καὶ αὐτοί.



tumelious entreatie and vse: yet now at last vp starts a Prelate, who dares make this good Father vaunt himselfe to be an Emperour. It is willingly granted, that Emperours neuer challenged, neuer arrogated, to bee Soueraigne Iudges in controuersies of doctrine and faith; neuerthelesse it is clearer then the Sunnes light at high noone, that for moderation at Synods, for determinations and orders established in Councils, and for the discipline of the Church, they haue made a good and a full vse of their Imperiall authoritie. The first Council<sup>1</sup> held at *Constantinople*, beares this title or inscription; *The dedication of the holy Synode to the most religious Emperour Theodosius the Great, to whose will and pleasure they haue submitted these Canons by them addressed and established in Councill.* And there they also beseech the Emperour, to confirme and approue the said Canons. The like hath bene done by the Council of *Trullo*, by whom the Canons of the fift and sixt Councils were put forth and published. This was not done, because Emperours tooke vpon them to bee infallible Iudges of doctrine; but onely that Emperours might see and iudge, whether Bishops (who feele the pricke of ambition as other men doe) did propound nothing in their Conuocations and Consultations, but most of all in their Determinations, to vndermine the Emperours authoritie, to disturbe the tranquillitie of the Common-wealth, and to crosse the determinations of precedent Councils. Now to take the cognizance of such matters out of the Kings hand or power; what is it but euen to transforme the King into a standing Image, to wring and wrest him out of all care of himselfe and his Kingly Charge, yea to bring him downe to this basest condition, to become onely an executioner, and (which I scorne to speake) the vnhappy hangman of the Clergies will, without any further cognizance, not so much as of matters which most neerely touch himselfe, and his Royall estate?

I grant it is for Diuinitie Scholes, to iudge how farre the power of the Keyes doth stretch: I grant againe, that Clerics both may, and ought also to display the colours and ensignes of their censures against Princes, who violating their publike and solemne oath, doe raise and make open warre against *Iesus Christ*: I grant yet againe, that in this case they need not admit Laics to be of their counsell, nor allow them any scope or libertie of iudgement. Yet all this makes no barre to Clerics, for extending the power of their keyes, many times a whole degree further then they ought; and when they are pleased, to make vse of their said power, to deprivue the people of their goods, or the Prince of his Crowne: all this doeth not hinder Prince or people from taking care for the preservation of their owne rights and estates, nor from requiring Clerics to shew their cards, and produce their Charts, and to make demonstration by Scripture, that such power as they assume and challenge, is giuen them from God. For to leaue the Pope absolute Iudge in the same cause, wherein hee is a partie, and (which is the strongest rampier and bulwarke, yea the most glorious and eminent point of his domination) to arme him with power to vnhorse Kings out of their seates; what

<sup>1</sup> Vide Canones Græcos à Tilio editos.

is it else but euen to draw them into a state of despaire for euer winning the day, or preuailing in their honourable and rightfull cause ?

It is moreouer granted, if a King shall command any thing directly contrary to Gods word, and tending to the subuerting of the Church; that Clerics in this case ought not onely to dispense with subiects for their obedience, but also expressly to forbid their obedience: For it is alwayes better to obey God then man. Howbeit in all other matters, whereby the glory and maiestie of God is not impeached or impaired, it is the duety of Clerics to plie the people with wholesome exhortation to constant obedience, and to auert by earnest dissuasions the said people from tumultuous reuolt and seditious insurrection. This practise vnder the Pagan Emperours, was held and followed by the ancient Christians; by whose godly zeale and patience in bearing the yoke, the Church in times past grew and flourished in her happy and plentifull increase, farre greater then Poperie shall euer purchase and attaine vnto by all her cunning deuices and sleights: as namely by degrading of Kings, by interdicting of Kingdoms, by apposted murders, and by Diabolicall traines of Gunne-powder-mines.

The places of Scripture alleadged in order by the Cardinal, in fauour of those that stand for the Popes claime of power and authoritie to depose Kings, are cited with no more sincerity then the former: *They alledge* (these are his words) *that Samuel deposed King Saul, or declared him to bee deposed, because hee had violated the Lawes of the Iewes Religion:*<sup>1</sup> His Lordship auoucheth elsewhere, that *Saul* was deposed, because he had sought prophanely to vsurpe the holy Priesthood. Both false and contrary to the tenour of trewth in the sacred history: For *Saul* was neuer deposed according to the sense of the word (I meane, *depose*) in the present question; to wit, as deposing is taken for despoiling the King of his royall dignitie, and reducing the King to the condition of a priuate person: But *Saul*<sup>2</sup> held the title of King, and continued in possession of his Kingdome, euen to his dying day. Yea, the Scripture styles him King, euen to the periodicall and last day of his life, by the testimony of *Dauid* himselfe, who both by Gods promise, and by precedent vnction, was then heire apparant as it were to the Crown, in a maner then ready to gird and adorne the temples of his head. For if *Samuel*, by Gods commandement, had then actually remooued *Saul* from his Throne, doubtlesse the whole Church of Israel had committed a grosse errour, in taking and honouring *Saul* for their King, after such deposition: doubtlesse the Prophet *Samuel* himselfe, making knowen the Lords Ordinance vnto the people, would haue enioyned them by strict prohibition to call him no longer the King of Israel: Doubtlesse, *Dauid* would neuer haue held his hand from the throat of *Saul*, for this respect and consideration, because he was the Lords Anointed.<sup>3</sup> For if *Saul* had lost his Kingly authority, from that instant when *Samuel* gaue him knowledge of his reiection; then *Dauid*, lest otherwise the Body of the Kingdome should want a Royall Head, was to beginne his Reigne, and to beare the Royall

<sup>1</sup> Pag 66.

<sup>2</sup> 1. Sam. 23. 20. & 24. 15. & 2. Sam. 2. 5.

<sup>3</sup> 1. Sam. 26. 11.



scepter in the very same instant: which were to charge the holy Scriptures with vntrewth, in as much as the sacred historie begins the computation of the yeeres of *Dauids* Reigne, from the day of *Sauls* death. Trew it is, that in the 1. Sam. cap. 15. *Saul* was denounced by Gods owne sentence, a man reiected, and as it were excommunicated out of the Kingdome, that hee should not rule and reigne any longer as King ouer Israel; neuerthelesse, the said sentence was not put in execution, before the day when God, executing vpon *Saul* an exemplarie iudgement, did strike him with death. From whence it is manifest and cleare, that when *David* was annointed King by *Samuel*, that action was onely a promise,<sup>1</sup> and a testimony of the choice, which God had made of *David* for succession immediately after *Saul*; and not a present establishment, inuestment, or installment of *David* in the Kingdome. Wee reade the like in 1. King. cap. 19. where God commandeth *Elias* the Prophet, to annoint *Hasael* King of *Syria*: For can any man bee so blinde and ignorant in the sacred historie, to beleue the Prophets of Israel established, or sacred the Kings of *Syria*? For this cause, when *David* was actually established in the Kingdome, hee was annointed the second time.<sup>2</sup>

In the next place he brings in the Popes champions vsing these words;<sup>3</sup> *Rehoboam was deposed by Ahiah the Prophet, from his Royall right ouer the tenne Tribes of Israel, because his father Salomon had played the Apostata, in falling from the Law of God.* This I say also is more, then the trewth of the sacred history doeth afoard: For *Ahiah* neuer spake to *Rehoboam* (for ought we reade,) nor brought vnto him any message from the Lord; As for the passage quoted by the L. Cardinal out of 3. Reg. chap. 11. it hath not reference to the time of *Rehoboams* raigne, but rather indeed to *Salomons* time: nor doeth it carry the face of a iudicatorie sentence for the Kings deposing, but rather of a Propheticall prediction: For how could *Rehoboam*, before hee was made King, be depriued of the Kingdome? Last of all, but worst of all; to alleadge this passage for an example of a iust sentence in matter of deposing a King, is to approoue the disloyall treacherie of a seruant against his master, and the rebellion of *Ieroboam* branded in Scripture with a marke of perpetuall infamie for his wickednesse and impietie.

He goes on with an other example of no more trewth;<sup>4</sup> *King Achab was deposed by Elias the Prophet, because he imbraced false religion, and worshipped false gods.* False too like the former; King *Achab* lost his crowne and his life both together. The Scripture, that speaketh not according to mans fancie, but according to the trewth, doeth extend and number the yeeres of *Achabs* raigne, to the time of his death. Predictions of a Kings ruine, are no sentences of deposition. *Elias* neuer gaue the subiects of *Achab* absolution from their oath of obedience; neuer gaue them the least inckling of any such absolution; neuer set vp, or placed any other King in *Achabs* throne.

That of the L. Cardinall <sup>5</sup> a little after, is no lesse vntrew: *That King Vzziah was driuen from the conuersation of the people by Azarias the Priest, and thereby the*

<sup>1</sup> 1. Sam. 16. 23.<sup>2</sup> 2. Sam. 2. 4.<sup>3</sup> 1. King. 12.<sup>4</sup> 1. King. 19.<sup>5</sup> Pag. 68.

*administration of his Kingdome was left no longer in his power.* Not so: For when God had smitten *Vzziah* with leprosie in his forehead, he withdrew himselfe,<sup>1</sup> or went out into an house apart, for feare of infecting such as were whole by his contagious disease. The high Priest smote him not with any sentence of deposition, or denounced him suspended from the administration of his Kingdome. No: the dayes of his raigne are numbred in Scripture, to the day of his death. And whereas the Priest, according to the Law in the 13. of *Leuit.* iudged the King to be vncleane; he gaue sentence against him, not as against a criminal person, and thereby within the compasse of deposition; but as against a diseased body: For the Law inflicteth punishments, not vpon diseases, but vpon crimes. Hereupon, whereas it is recorded by *Iosephus* <sup>2</sup> in his Antiquities, that *Vzziah* led a priuate, and in a maner, a solitarie life; the said author doeth not meane, that *Vzziah* was deposed, but onely that he disburdened himselfe of care to mannage the publique affaires.

The example of *Mattathias*,<sup>3</sup> by whom the Iewes were stirred vp to rebel against *Antiochus*, is no better worth: For in that example we finde no sentence of deposition, but onely an heartning and commotion of a people then grievously afflicted and oppressed. He that makes himselfe the ringleader of conspiracie against a King, doeth not foorthwith assume the person, or take vp the office and charge of a Iudge, in forme of Law, and iuridically to depriue a King of his Regall rights, and Royall prerogatiues. *Mattathias* was chiefe of that conspiracie, not in qualitie of Priest, but of cheiftaine, or leader in warre and a man the best qualified of all the people. Things acted by the suddaine violence of the base vulgar, muste not stand for Lawes, nor yet for proofes and arguments of ordinarie power, such as the Pope challengeth to himselfe, and appropriateth to his triple-Crowne.

These be our solide answeres: we disclaime the light armour which the L. Cardinall <sup>4</sup> is pleased to furnish vs withall, forsooth to recreate himselfe, in rebating the points of such weapons, as hee hath vouchsafed to put into our hands. Now it wil be worth our labour to beate by his thrusts, fetch from the ordinary mission of the New Testament, from leprosie, stones, and locks of wooll: A leach no doubt of admirable skill, one that for subiecting the Crownes of Kings vnto the Pope, is able to extract arguments out of stones; yea, out of the leprosie, and the drie scab, onely forsooth because heresie is a kind of leprosie, and an heretike hath some affinitie with a leper. But may not his *Quoniam*, bee as fitly applyed to any contagious and inueterate vice of the minde beside heresie? His warning-piece <sup>5</sup> therefore is discharged to purpose, whereby hee notifieth that hee pretendeth to handle nothing with resolution: For indeed vpon so weake arguments, a resolution is but ill-fauouredly and weakely grounded.

His bulwarkes thus beaten downe, let vs now view the strength of our owne. First, he makes vs to fortifie on this maner: *They that are for the negative, doe*

<sup>1</sup> 2. Chro. 26.

<sup>2</sup> Antiq. l. 9. cap. 11.

<sup>3</sup> Pag. 69.

<sup>4</sup> Page 67.

<sup>5</sup> Page 66.



alledge the authoritie of S. Paul; *Let euery soule bee subiect vnto the higher powers: For whosoever resisteth the power, resisteth the ordinance of God. And likewise that of S. Peter; Submit your selues, whether it be vnto the King, as vnto the superiour, or vnto gouernours, &c.* Vpon these passages, and the like, they in ferre, that the obedience is due to Kings by the Law of God, and not dispensable by any Spirituall or Temporall authoritie.<sup>1</sup> Thus he brings vs in with our first weapon. But here the very chiefe sinew and strength of our argument, hee doeth wittingly balke, and of purpose conceale: To wit; That all the Emperors of whom the said holy Apostles haue made any mention in their diuine Epistles, were professed enemies to CHRIST, Pagans, Infidels, fearefull and bloody Tyrants: to whom notwithstanding *euery soule*, and therefore the Bishop of Rome for one, is commanded to submit himselfe, and to professe subiection. Thus much *Chrysostome* hath expresly taught in his Hom. 23. vpon the Epistle to the Romanes; *The Apostle giues this commandement vnto all: euen to Priests also, and cloistered Monkes not onely to Secular: be thou an Apostle, an Euangelist, a Prophet, &c.* Besides, it is here worthy to be noted, that howsoever the Apostles rule is generall, and therefore bindeth all the faithfull in equall bands; yet is it particularly, directly, and of purpose addressed to the Church of Rome by S. *Paul*, as by one who in the spirit of an Apostle did foresee, that rebellion against Princes was to rise and spring from the citie of Rome. Now in case the Head of that Church by warrant of any priuiledge, contained in the most holy Register of Gods holy word, is exempted from the binding power of this generall precept or rule; did it not become his Lordship to shew by the booke, that it is a booke case, and to lay it foorth before that honourable assembly, who no doubt expected and waited to heare when it might fall from his learned lips? But in stead of any such authentickall and canonicall confirmation, he flieth to a sleight shift, and with a cauill is bold to affirme the foundation, laid by those of our side, doeth no way touch the knot of the controuersie. Let vs heare him speake: *It is not in controuersie, whether obedience be due to kings by Gods Law, so long as they are kings, or acknowledged for Kings, but our point controuerted, is whether by Gods Law it be required, that hee who hath bene once recognised and receiued for King by the body of Estates, can at any time be taken and reputed as no King, that is to say can doe no maner of acte whereby hee may loose his right, and so cease to be saluted King.* This answer of the L. Cardinall is the rare deuise, euasion, and starting hole of the *Iesuites*: In whose eares of delicate and tender touch, King-killing soundeth very harsh; but forsooth to vn-king a King first, and then to giue him the stab, that is a point of iust and trew descant: For to kill a King, once vnking'd by deposition, is not killing of a King: For the present, I haue one of that Iesuiticall Order in prison, who hath face enough to speake this language of Ashdod, and to maintaine this doctrine of the *Iesuites* Colledges. The L. Cardinall harpes vpon the same string; He can like subiection and obedience to the King, whilst he sitteth King: but his Holinesse must haue

<sup>1</sup> Page 69.

all power, and giue order withall, to hoyst him out of his Royall Seat. I therefore now answer, that in very deed the former passages of *S. Paul* and *S. Peter* should come nothing neere the question, if the state of the question were such as he brings it, made and forged in his owne shop. But certes the states of the question is not, whether a King may doe some acte, by reason whereof hee may fall from his right, or may not any longer be acknowledged for King: For all our contention is, concerning the Popes power to vn-authorize Princes; whereas in the question framed and fitted by the L. Cardinal, not a word of the Pope. For were it granted and agreed on both sides, that a King by election might fal from his Kingdom, yet stil the knot of the question would hold, whether he can be dispossessed of his Regal authoritie, by any power in the Pope, & whether the Pope hath such fulnes of power, to strip a King of those Royall robes, rights, and reuenues of the Crowne, which were neuer giuen him by the Pope; as also by what authoritie of holy Scripture, the Pope is able to beare out himselfe in this power, and to make it good.

But here the L. Card.<sup>1</sup> stoutly saith in his owne defence by way of reioinder; *As one text hath, Let euery soule be subiect vnto the higher powers; in like manner an other text hath, Obey your Prelates, and be subiect vnto your Pastors: for they watch ouer your soules, as men that shall giue an accompt for your soules.* This reason is void of reason, and makes against himselfe: For may not Prelates be obeyed and honoured, without Kings be deposed? If Prelates preach the doctrine of the Gospell, will they in the pulpit stirre vp subiects to rebell against Kings? Moreouer, whereas the vniuersall Church in these daies is diuided into so many discrepant parts, that now Prelates neither doe nor can draw all one way; is it not exceeding hard, keeping our obedience towards God, to honour them all at once with due obedience? Nay; is not here offered vnto me a dart out of the L. Cardinals armorie, to cast at himselfe? For as God chargeth all men with obedience to Kings, and yet from that commaundement of God, the L. Cardinall would not haue it inferred, that Kings haue power to degrade Ecclesiasticall Prelates: euen so God giueth charge to obey Prelates, yet doeth it not follow from hence, that Prelates haue power to depose Kings. These two degrees of obedience agree well together, and are each of them bounded with peculiar and proper limits.

But for so much as in this point, we haue on our side the whole auncient Church, which, albeit she liued and groned for many aages together vnder heathen Emperours, heretikes, and persecuters, did neuer so much as whisper a word about rebelling and falling from their Soueraigne Lords, and was neuer by any mortall creature freed from the oath of allegiance to the Emperour; the Cardinall is not vnwilling to graunt, that ancient Christians in those times were bound to performe such fidelity and allegiance, for as much as the Church (the Cardinall for shame durst not say the Pope) then had not absolved them of their oath.

<sup>1</sup> Page 71.



No doubt a pleasant dreame, or a merry conceit rather, to imagine the Bishop of Rome was armed with power to take away the Empire of the world from *Nero*, or *Claudius*, or *Domitianus*; to whom it was not known, whether the citie of Rome had any Bishop at all. Is it not a master-iest, of a straine most ridiculous, to presuppose the Grand-masters and absolute Lords of the whole world, had a sent so dull, that the were not able to smell out, and to nose things vnder their owne noses? that they saw so little with other mens eies and their owne, that within their capitall citie, they could not spie that Soueraigne armed with ordinary and lawfull authority to degrade, and to turne them out of their renowned Empire? Doubtlesse the said Emperours, vassals belike of the Popes Empire, are to be held excused for not acknowledging and honouring the Pope in quality of their Lord, as became his vassals; because they did not know there was any such power in the world, as aftertimes haue magnified and adored vnder the qualitie of Pope: For the Bishops of Rome in those times, were of no greater authoritie, power, and means, then some of the Bishops are in these daies within my Kingdomes.

But certes those Popes of that primitiue aage, thought it not expedient in the said times to draw their swords: they exercised their power in a more mild and soft kind of carriage toward those miserable Emperours, for three seuerall reasons alledged by the L. Cardinall.

The first: because the Bishops then durst not by their censures whet and prouoke those Emperours, for feare of plunging the Church in a Sea of persecutions. But if I be not cleane voide of common sense, this reason serueth to charge not onely the Bishops of Rome, but all the auncient professors of Christ besides, with deepe dissimulation and hypocrisie: For it is all one as if he had professed, that all their obedience to their Soueraignes, was but counterfeit, and extorted, or wrong out of them by force; that all the submissiue supplications of the auncient Fathers, the assured testimonies and pledges of their allegiance, humilitie, and patience, were but certaine formes of disguised speech, proceeding not freely from the suggestions of fidelity, but faintly and fainedly, or at least from the strong twitches and violent conuulsions of feare. Whereupon it followes, that all their torments and punishments, euen to the death, are wrongfully honoured with the title, and crowned with the crowne of Martyrdome; because their patience proceeded not from their owne free choice and election, but was taught by the force of necessitie, as by compulsion: and whereas they had not mutinously and rebelliously risen in armes, to assuage the scorching heat and burning flames of tyrannicall persecuters, it was not for want of will, but for lacke of power. Which false and forged imputation, the Fathers haue cleared themselues of in their writings. *Tertullian*<sup>1</sup> in his Apologet: *All places are full of Christians, the cities, isles, castles, burroughs, armies, &c. If we that are so infinite a power, and multitude of men, had broken from you into some remote nooke or corner of the world, the cities no doubt had become naked and solitarie: there had beene a dreadfull and*

<sup>1</sup> Tert. Apol. cap. 37. Hesterni sumus & omnia vestra impleuimus.

*horrible silence ouer the face of the whole Empire: the great Emperours had beene driuen to seeke out new cities, and to discouer newe nations, ouer whom to beare Soueragine sway and rule; there had remained more enemies to the State, then subiects and friends.* Cyprian<sup>1</sup> also against Demetrianus: *None of vs all howsoever we are a people mighty and without number, haue made resistance against any of your vniust and wrongfull actions, executed with all violence; neither haue sought by rebellious armes, or by any other sinister practices, to crie quittance with you at any time for the righting of our selues.* Certaine it is, that vnder *Iulianus*, the whole Empire in a manner professed the Christian Religion; yea, that his Leiftenants and great Commanders, as *Iovinianus*, and *Valentinianus* by name, professed Christ: Which two Princes not long after attained to the Imperiall dignitie, but might haue solicited the Pope sooner to degrade *Iulianus* from the Imperiall Throne. For say that *Iulians* whole army had renounced the Christian Religion: (as the L. Cardinall against all shew and appearance of trewth would beare vs in hand, and contrary to the generall voice of the said whole army, making this profession with one consent when *Iulian* was dead, *Wee are all Christians*;) yet *Italie* then persisting in the faith of Christ, and the army of *Iulian* then lying quartered in *Persia*, the vtmost limit of the Empire to the East,<sup>2</sup> the Bishop of *Rome* had fit opportunitie to draw the sword of his authoritie (if hee had then any such sword hanging at his Pontificall side) to make *Iulian* feele the sharpe edge of his weapon, and thereby to pull him downe from the stately pearch of the Romane Empire. I say moreouer, that by this generall and sudden profession of the whole *Cæsarian* armie, *Wee are all Christians*, it is clearly testified, that if his armie or souldiers were then addicted to Paganisme, it was wrought by compulsion, and cleane contrary to their setled perswasion before: and then it followes, that with greater patience they would haue borne the deposing of *Iulian*, then if hee had suffered them to vse the libertie of their conscience. To bee short in the matter; S. *Augustine*<sup>3</sup> makes all whole, and by his testimony doeth euince, that *Iulians* armie perseuered in the faith of Christ. *The souldiers of Christ serued a Heathen Emperour: But when the cause of Christ was called in question, they acknowledged none but Christ in heauen: When the Emperour would haue them to serue, and to perfume his idols with frankincense, they gaue obedience to God, rather then to the Emperour.* After which words, the very same words alleadged by the L. Cardinall<sup>4</sup> against himselfe doe follow; *They did then distinguish betweene the Lord Eternal, and the Lord temporall: neuerthelesse, they were subiect vnto the Lord temporall, for the Lord Eternall.* It was therefore to pay God his duetie of obedience, and not for feare to incense the Emperour, or to draw persecution vpon the Church (as the L. Cardinal would made vs beleue) that Christians of the Primitiue Church, and Bishops by their censures, durst not anger and prouoke their Emperours. But his Lordship by his coloured pretences doeth manifestly prouoke and stirre vp the

<sup>1</sup> Cypr. cont. Demetr.

<sup>2</sup> Socr. lib. 3. cap. 19. Theod. lib. 4. cap. 1.

Sozom. lib. 6. cap. 1.

<sup>3</sup> August. in Psal. 124.

<sup>4</sup> Page 82.



people to rebellion, so soone as they know their own strength to beare out a rebellious practise: Whereupon it followes, that in case their conspiracie shall take no good effect, all the blame and fault must lie, not in their disloyalty and treason, but in the bad choice of their times for the best aduantage, and in the want of taking a trew sight of their owne weakenesse. Let stirring spirits be trained vp in such practicall precepts, let desperate wits be seasoned with such rules of discipline; and what need we, or how can wee wonder they contriue Powder-conspiracies, and practise the damnable art of parricides?

After *Iulian*, his Lordship falles vpon *Valentinian* the younger, who maintaining Arrianisme with great and open violence, might haue bene deposed by the Christians from his Empire, and yet (say wee) they neuer dream'd of any such practise. Heere the L. Cardinall<sup>1</sup> maketh answer: *The Christians moued with respect vnto the fresh memory both of the brother and father, as also vnto the weake estate of the sonnes young yeeres, abstained from all counsels and courses of sharper effect and operation.* To which answer I replie: these are but friuolous coniectures, deuised and framed to ticle his owne fancie: For had *Valentinianus* the younger beene the sonne of an *Arrian*, and had then also attained to threescore yeeres of aage, they would neuer haue borne themselues in other fashion then they did, towards their Emperour. Then the Cardinall goeth on: The people would not abandon the factious and seditious party, but were so firme or obstinate rather for the faction, that *Valentinian* for feare of the tumultuous vproares was constrained to giue way, and was threatened by the souldiers, that except hee would adhere vnto the Catholikes, they would yeeld him no assistance, nor stand for his partie. Now this answer of the L. Cardinall makes nothing to the purpose, concerning the Popes power to pull downe Kings from their stately nest. Let vs take notice of his proper consequence. *Valentinian* was afraid of the popular tumult at *Milan*; the Pope therefore hath power to curbe Hereticall Kings by deposition. Now marke what distance is betweene *Rome* and *Milan*, what difference betweene the people of *Milan*, and the Bishop of *Rome*; betweene a popular tumult, and a iudicatorie sentence; betweene fact and right, things done by the people or souldiers of *Milan*, and things to be done according to right and law by the Bishop of *Rome*; the same distance, the same difference (if not farre greater) is betweene the L. Cardinals antecedent and his consequent, betweene his reason, and the maine cause or argument which we haue in hand. The mad commotion of the people was not heere so much to bee regarded, as the sad instruction of the Pastour, of their good and godly Pastour S. *Ambrose*, so farre from hartening the people of *Milan* to rebel, that being Bishop of *Milan*, he offered himself to suffer Martydome: *If the Emperour abuse his Imperiall authority, (for so Theodoret hath recited his words) to tyrannize thereby, heere am I ready to suffer death.* And what resistance he made against his L. Emperour, was onely by way of supplication in these termes; *Wee beseech thee, O Augustus, as humble suppliants;*

<sup>1</sup> Pag. 82.

*we offer no resistance: we are not in feare, but we flie to supplication. Againe, If my patrimony be your marke, enter vpon my patrimony if my body I wil goe and meet my torments. Shall I be drag'd to prison or to death? I will take delight in both. Item, in his Oration to Auxentius; I can afflict my soule with sorrow, I can lament, I can send forth grievous groans: My weapons against either of both, souldiers or Goths, are teares: A Priest hath none other weapons of defence: I neither can resist, nor ought in any other maner to make resistance.*<sup>1</sup>

*Iustinian* the Emperour in his old aage fell into the heresie of the *Aphthartodocites*. Against *Iustinian*, though few they were that fauoured him in that heresie, the Bishop of *Rome* neuer darted with violence any sentence of excommunication, interdiction, or deposition.

The *Ostrogot* Kings in *Italie*, the *Visigot* in *Spaine*, the *Vandal* in *Africa* were all addicted to the *Arrian* impietie, and some of them cruelly persecuted the trew professours. The *Visigot* and *Vandall* were no neighbours to *Italie*. The Pope thereby had the lesse cause to feare the stings of those waspes, if they had bene angred. The Pope for all that neuer had the humour to wrestle or iustle with any of the said Kings in the cause of deposing them from their Thrones. But especially the times when the *Vandals* in *Affricke*, and the *Goths* in *Italie* by *Belisarius* and *Narses*, professours of the Orthodoxe Faith, were tyred with long warres, and at last were vtterly defeated in bloody battels, are to bee considered. Then were the times or neuer, for the Pope to vnsheath his weapons, and to vncase his arrowes of deposition; then were the times to draw them out of his quiver, and to shoot at all such *Arrian* heads; then were the times by dispensations to release their subiects of their oathes, by that peremptorie meanes to aide and strengthen the Catholique cause: But in that aage the said weapons were not knowne to haue bene hammered in the Pontificall forge.

*Gregorie* the I. made his boasts, that he was able to ruine the Lombards, (for many yeeres together sworne enemies to the Bishops of *Rome*) their state present, and the hope of all their future prosperitie. But he telleth vs, that by the feare of God before his eyes and in his heart, he was bridled and restrained from any such intent; as elsewhere we haue obserued:<sup>2</sup> *If I would haue medled with practising and procuring the death of the Lombards, the whole nation of the Lombards at this day had bene robbed of their Kings, Dukes, Earles, they had bene reduced to the tearmes of extreame confusion.* He might at least haue deposed their King, (if the credit of the L. Cardinals iudgement be currant) without polluting or stayning his owne conscience.

What can we tearme this assertion of the L. Cardinal, but open charging the most ancient Bishops of *Rome* with crueltie, when they would not succour the Church of CHRIST oppressed by tyrants, whose oppression they had power to repress by deposing the oppressors. Is it credible, that IESVS CHRIST hath giuen

<sup>1</sup> Epist. lib. 5. Epist. 33. Epist. lib. 5.

<sup>2</sup> In Apol. pro iuram. fidel. His owne words lib. 7. Epist. 1.



a Commission to S. *Peter* and his successors for so many aages, without any power to execute their Commission, or to make any vse thereof by practise? Is it credible, that hee hath giuen them a sword to bee kept in the scabbard, without drawing once in a thousand yeeres? Is it credible, that in the times when Popes were most deboshed, abandoning themselues to all sorts of corrupt and vitious courses, as is testified by their owne flatterers and best affected seruants; it is credible that in those times they began to vnderstand the vertue & strength of their Commission? For if either feare or lacke of power, was the cause of holding their hands, and voluntarie binding of themselues to the Peace or good behaiour: wherefore is not some one Pope at least produced, who hath complained that he was hindered from executing the power that CHRIST had conferred vpon his Pontificall See? Wherefore is not some one of the ancient and holy Fathers alledged, by whom the Pope hath bene aduised and exhorted to take courage, to stand vpon the vigor and sinewes of his Papall Office, to vnsheath and vncase his bolts of thunder against vngodly Princes, and grieuous enemies to the Church? wherefore living vnder Christian and gracious Emperours, haue they not made knowne the reasons, why they were hindred from drawing the pretended sword; lest long custome of not vsing the sword so many aages, might make it so to rust in the scabbard, that when there should be occasion to vse the said sword, it could not be drawne at all; and lest so long custome of not vsing the same, should confirme prescription to their greater preiudice? If weakenesse be a iust let, how is it come to passe, that Popes haue enterprised to depose *Philip the Faire*, *Lewis* the XII, and *ELIZABETH* my predecessor of happy memorie; (to let passe others) in whom experience hath well proued, how great inequality was betweene their strengths? Yea, for the most part from thence grow most grieuous troubles and warres, which iustly recoile and light vpon his owne head; as happened to *Gregorie* the VII. and *Boniface* the VIII. This no doubt is the reason, wherefore the Pope neuer sets in (for feare of such inconueniences) to blast a King with lightning and thunder of deposition, but when hee perceiues the troubled waters of the Kingdome by some strong faction settled in his Estate; or when the King is confined and bordered by some Prince more potent, who thirsteth after the prey, and is euer gaping for some occasion to picke a quarrell. The King standing in such estate, is it not as easie for the Pope to pull him downe, as it is for a man with one hand to thrust downe a tottering wall, when the groundsill is rotten, the studdes vnbind and nodding or bending towards the ground? But if the King shall beare downe and breake the faction within the Realme; if hee shall get withall the vpper hand of his enemies out of the Kingdome; then the holy Father presents him with pardons neuer sued for, neuer asked; and in a fathers indulgence forsooth, giues him leaue still to hold the Kingdome, that hee was not able by all his force to wrest and wring out of his hand, no more then the club of *Hercules* out of his fist. How many worthy Princes, incensed by the Pope, to conspire against Soueraigne Lords their Masters, and by open rebellion to worke some

change in their Estates, haue miscarried in the action, with losse of life, or honour, or both? For example; *Rodulphus* Duke of *Sueuia* was eg'd on by the Pope, against *Henry* III. of that name Emperour. How many massacres, how many desolations of Cities and townes, how many bloody battels ensued thereupon? Let histories bee searched, let iust accompts be taken, and besides sieges layde to Cities, it will appeare by trew computation, that *Henry* the III. and *Frederic* the first, fought aboue threescore battels, in defence of their owne right against enemies of the Empire, stirred vp to armes by the Pope of Rome. How much Christian blood was then spilt in these bloody battels, it passeth mans wit, penne, or tongue to expresse. And to giue a little touch vnto matters at home; doeth not his Holinesse vnderstand right well the weakenesse of Papists in my Kingdome? Doeth not his Holinesse neuerthelesse animate my Papists to rebellion, and forbid my Papists to take the Oath of Allegiance? Doeth not his Holinesse by this meanes draw (so much as in him lyeth) persecution vpon the backes of my Papists as vpon rebels, and expose their life as it were vpon the open stall, to be sold at a very easie price? All these examples, either ioynt or seuerall, are manifest and euident proofes, that feare to draw mischiefe and persecution vpon the Church, hath not barred the Popes from thundering against Emperours and Kings, whensoever they conceiued any hope, by their fulminations to aduance their greatnesse.

Last of all; I referred the matter to the most possessed with preiudice, euen the very aduersaries, whether this doctrine, by which people are trained vp in subiection vnto Infidel or hereticall Kings, vntill the subiects be of sufficient strength to mate their Kings, to expell their Kings, and to depose them from their Kingdomes, doth not incense the Turkish Emperours and other Infidell Princes to roote out all the Christians that drawe in their yoke, as people that waite onely for a fit occasion to rebell, and to take themselues ingaged for obedience to their Lords, onely by constraint and seruile feare. Let vs therefore now conclude with *Ozius*,<sup>1</sup> in that famous Epistle speaking to *Constantius* an Arrian heretike: *As hee that by secret practise or open violence would bereaue thee of thy Empire, should violate Gods ordinance: so bee thou touched with feare, least, by vsurping authoritie ouer Church matters, thou tumble not headlong into some hainous crime.* Where this holy Bishop hath not vouchsafed to insert and mention the L. Cardinals exception; to wit, the right of the Church alwaies excepted and sau'd, when she shall be of sufficient strength to shake off the yoke of Emperours. Neither speaks the same holy Bishop of priuate persons alone, or men of some particular condition and calling; but hee setteth downe a generall rule for all degrees, neuer to impeach imperial Maiesties upon any pretext whatsoever.

As his Lordships first reason drawne from weakenesse is exceeding weake: so is that which the L. Cardinall<sup>2</sup> takes vp in the next place: *He telleth vs there is very great difference betweene Pagan Emperours, and Christian Princes: Pagan Emperours who neuer did homage to Christ, who neuer were by their subiects receiued, with condition*

<sup>1</sup> Apud Athan. in Epist. ad solitar. vitam agentes.

<sup>2</sup> Pag. 77.



to acknowledge perpetuall subiection vnto the Empire of Christ; who neuer were bound by oath and mutuall contract between Prince and subiect. Christian Princes who slide backe by Apostasie, degenerate by Arrianisme, or fall away by Mahometisme. Touching the latter of these two, (as his Lordshippe saith) If they shall as it were take an oath, and make a vowe contrary to their first oath and vow made and taken when they were installed, and contrary to the condition vnder which they receiued the Scepter of their Fathers; if they withall shall turne persecutors of the Catholike religion; touching these I say, the L. Cardinal holds, that without question they may bee remooued from their Kingdomes: He telleth vs not by whom, but euery where he meaneth by the Pope. Touching Kings deposed by the Pope vnder pretence of stupidity, as *Childeric*; or of matrimoniall causes, as *Philip I.* or for collating of benefices, as *Philip the Faire*; not one word: By that point he easily glideth, and shuffles it vp in silence, for feare of distasting the Pope on the one side, or his auditors on the other.

Now in alledging this reason, his Lordship makes all the world a witnes, that in deposing of Kings, the Pope hath no eye of regard to the benefit and securitie of the Church: For such Princes as neuer suckt other milke then that of Infidelitie and persecution of Religion, are no lesse noisome and pernicious vermin to the Church, then if they had sucked of the Churches breasts. And as for the greatness of the sinne or offence, it seemes to me there is very little difference in the matter. For a Prince that neuer did sweare any religious obedience to *IESUS Christ*, is bound no lesse to such obedience, then if he had taken a solemne oath: As the sonne that rebelliously stands vp against his father, is in equall degree of sinne, whether he hath sworne or not sworne obedience to his father; because he is bound to such obedience, not by any voluntarie contract or couenant, but by the law of Nature. The commaundement of God to kisse the Sonne, whom the Father hath confirmed and ratified King of Kings, doeth equally bind all Kings, as well Pagans as Christians. On the other side, who denies, who doubts, that *Constantius* Emperour at his first steppe or entrance into the Empire, did not sweare and bind himselfe by solemne vowe, to keepe the rules and to maintaine the precepts of the Orthodox faith, or that he did not receiue his fathers Empire vpon such condition? This notwithstanding, the Bishop of *Rome* pulled not *Constantius* from his Imperiall throne, but *Constantius* remooued the Bishop of *Rome* from his Papall See. And were it so, that an oath taken by a King at his consecration, and after violated, is a sufficient cause for the Pope to depose an Apostate or hereticall Prince; then by good consequence the Pope may in like sort depose a King, who beeing neither dead in Apostasie, nor sicke of Heresie, doeth neglect onely the due administration of iustice to his loyall subiects: For his oath taken at consecration importeth likewise, that he shall minister iustice to his people. A point wherein the holy Father is held short by the L. Cardinall, who dares prescribe new lawes to the Pope, and presumes to limit his fulnesse of power, within certaine meeres and head-lands, extending the Popes power only

to the deposing of Christian Kings, when they turne Apostats forsaking the Catholike faith; and not such Princes as neuer breathed any thing but pure Paganisme, and neuer serued vnder the colours of Iesus Christ. Meanewhile his Lordship forgets, that King *Attabaliba* was deposed by the Pope from his Kingdome of *Peru*, and the said Kingdome was conferred vpon the King of *Spaine*, though the said King of *Peru* never forsook his heathen superstition; and though the turning of him out of his terrestriall Kingdome was no way to conuert him vnto the faith of Christ. Yea his Lordship <sup>1</sup> a little after telleth vs himselfe, that *Be the Turkes possession in the conquests that he maketh ouer Christians neuer so auncient, yet by no long tract of time whatsoever, can he gaine so much as a thumbes breadth of prescription:* that is to say, the Turke for all that is but a disseisor, one that violently and wilfully keeps an other man from his owne, and by good right may be dispossessed of the same: whereas notwithstanding the Turkish Emperours neuer fauoured nor sauoured Christianitie. Let vs runne over the examples of Kings whom the Pope hath dared and presumed to depose; and hardly will any one be found, of whom it may be trewly auouched, that he hath taken an oath contrary to his oath of subiection to *Iesus Christ*, or that he hath wilfully cast himselfe into Apostaticall defection.

And certes to any man that weighs the matter with due consideration, it wil be found apparently false, that Kings of *France* haue bene receiued of their subiects at any time, with condition to serue IESVS CHRIST. They were actually Kings before they came forth to the solemnitie of their sacring, before they vsed any stipulation or promise to their subiects. For in hereditary kingdoms, (nothing more certaine, nothing more vncontrouleable) the Kings death instantly maketh liuery and seisin of the Royaltie, to his next successour. Nor is it materiall to replie, that a King succeeding by right of inheritance, takes an oath in the person of his predecessor. For euery oath is personall, proper to the person by whom it is taken: and to God no liuing creature can sweare, that his owne sonne or his heire shall proue an honest man. Well may the father, and with great solemnitie, promise that he will exhort his heire apparant with all his power and the best of his endeauours, to feare God and to practise piety. If the fathers oath be agreeable to the duties of godlinesse, the sonne is bound thereby, whether he take an oath, or take none. On the other side, if the fathers oath come from the puddles of impietie, the sonne is bound thereby to goe the contrary way. If the fathers oath concerne things of indifferent nature, and such as by the variety or change of times, become either pernicious or impossible; then it is free for the Kings next successor and heire, prudently to fit and proportion his Lawes vnto the times present, and to the best benefit of the Common-wealth.

When I call these things to mind with some attention, I am out of all doubt, his Lordship is very much to seeke, in the right sense and nature of his Kings oath taken at his Coronation, to defend the Church, and to perseuere in the

<sup>1</sup> Pag. 77.



Catholike faith: For what is more vnlike and lesse credible then this conceit, that after *Clouis* had reigned 15. yeeres in the state of Paganisme, and then receiued holy Baptisme, he should become Christian vpon this condition, That in case hee should afterward reuolt from the Faith, it should then bee in the power of the Church, to turne him out of his Kingdome? But had any such conditionall stipulation beene made by *Clouis*, in very good earnest and trewth; yet would hee neuer haue intended, that his deposing should bee the acte of the Romane Bishop, but rather of those (whether Peeres or people, or whole body of the State) by whom he had bene aduanced to the Kingdome. Let vs heare the trewth, and this is the trewth: It is farre from the customary vse in *France*, for their Kings to take any such oath, or to vse any such stipulation with their subiects. If any King or Prince wheresoeuer, doth vse an oath or solemne promise in these expresse termes, *Let me lose my Kingdome, or my life, be that day my last both for life and reigne, when I shall first reuolt from the Christian Religion*: By these words he calleth vpon God for vengeance, hee vseth imprecation against his owne head: but hee makes not his Crowne to stoupe by this meanes to any power in the Pope, or in the Church, or in the people.

And touching inscriptions vpon coynes, of which point his Lordship speaketh by the way; verely the nature of the money or coine (the stamping and minting whereof is one of the marks of the Prince his dignity and Soueraignty) is not changed by bearing the letters of Christ Name on the reuerse or on the front. Such characters of Christs Name, are aduertisements and instructions to the people, that in shewing and yeelding obedience vnto the King, they are obedient vnto the King, they are obedient vnto Christ; & those Princes likewise, who are so wel aduised, to haue the most sacred Names inscribed and printed in their coines, doe take and acknowledge *Iesus Christ* for supreme King of Kings. The said holy characters are no representation or profession, that any Kings Crowne dependeth vpon the Church, or can be taken away by the Pope. The L. Cardinal indeed so beareth vs in hand. But he inuerts the words of *Iesus Christ*, and wrings them out of the right ioynt: For Christ without all ambiguitie and circumlocution, by the image and inscription of the money, doeth directly and expressly prooue *Cæsar* to bee free from subiection, and entirely Soueraigne. Now if such a supreme and Soueraigne Prince, at any time shall bandie and combine against God, and thereby shall become a rebellious and perfidious Prince; doubtless for such disloyaltie he shall deserue, that God would take from him all hope of life eternall: and yet hereby neither Pope nor people hath reason to bee puft vp, in their power to depriue him of his temporall Kingdome.

The L. Cardinall<sup>1</sup> saith besides; *The champions of the Popes power to depose Kings, doe expound that commandement of S. Paul, whereby euery soule is made subiect vnto the superiour powers, to bee a prouisionall precept or caution accommodated to the times; and to stand in force, onely vntill the Church were growen in strength vn-*

<sup>1</sup> Page 76.

to such a scantling, that it might be in the power of the faithfull, without shaking the pillars of Christian state, to stand in the breach, and cautelosly to provide that none but Christian Princes might be receiued; according to the Law in Deut. Thou shalt make thee a King from among thy brethren. The reason whereupon they ground, is this: Because Paul saith, It is a shame for Christians to be iudged vnder vniust Infidels, in matters or businesse, which they had one against another: For which inconuenience, Iustinian after provided by Law; when hee ordeined that no Infidel nor Heretike might be admitted to the administration of iustice in the Common-wealth.

In which words of the Cardinall, the word *Receiued*, is to bee obserued especially and aboue the rest: For by chopping in that word, hee doeth nimble and with a tricke of *Legier demain*, transforme or change the very state of the question. For the question or issue of the cause, is not about receiuing, establishing, or choosing a Prince; (as in those Nations where the Kingdome goes by election) but about doing homage to the Prince, when God hath settled him in the Kingdome, and hath cast it vpon a Prince by hereditary succession: For that which is written, *Thou shalt make thee a King*, doeth no way concerne and touch the people of *France* in these dayes: because the making of their King hath not of long time been tyed to their election. The passage therefore in Deuter. makes nothing to the purpose; no more then doth *Iustinians* law: For it is our free and voluntary confession, that a Christian Prince is to haue speciall care of the Lawes, and to provide that no vnbeleeuer be made Lord Chiefe-Iustice of the Land, that no Infidel be put in trust with administration of Iustice to the people. But here the issue doeth not direct vs to speake of Delegates, of subordinate Magistrates, and such as are in Commission from the Prince, but of the supream Prince himselfe, the Soueraigne Magistrate ordained by nature, and confirmed by succession. Our question is, whether such a Prince can be vnthroned by the Pope, by whom he was not placed in the Throne; and whether the Pope can despoile such a Prince, of that Royaltie which was neuer giuen him by the Pope, vnder any pretended colour and imputation of heresie, of stupiditie, or infringing the priuiledges of Monasteries, or transgressing the Lawes and lines of holy Matrimonie.

Now that *S. Pauls* commandement which bindeth euery soule in the bands of subiection vnto the higher powers, is no precept giuen by way of *prouiso*, and onely to serue the times, but a standing and a perpetuall rule, it is hereby more than manifest. *S. Paul* hath grounded this commandement vpon certaine reasons, not onely constant and permanent by their proper nature, but likewise necessary for euery state, condition, and reuolution of the times. His reasons; *Because all powers are ordained of God: because resisting of powers is resisting the ordinance of God: because the Magistrate beares the sword to execute iustice: because obedience and subiection to the Magistrate is necessary, not onely for feare of his wrath, or feare of punishment, but also for conscience sake.* It is therefore a case grounded vpon conscience, it is not a Law deuised by humane wisdom; it is not fashionable to the qualities of the times. Apostolicall instructions for the right



informing of maners, are not changeable according to times and seasons. To vse the L. Cardinals language, and to follow his fancie in the matter, is to make way for two pestiferous mischiefes: First, let it be free and lawfull for Christians, to hold the commanding rules of God for prouisionall cautions, and what followes? Men are ledde into the broad way of impietie, and the whole Scripture is wiped of all authoritie. Then againe, for the other mischiefe: The glorious triumphes of most blessed Martyrs in their vnspeakable torments and sufferings, by the L. Cardinals position shall bee iudged vnworthy to weare the title and Crowne of Martyrdome. How so? Because (according to his new fiction) they haue giuen place to the violence and furie of heathen Magistrates, not in obedience to the necessary and certaine Commandement of God, but rather to a prouisionall direction, accommodated to the humours of the times. And therfore the L. Cardinal hath vsed none other clay wherewith to dawbe ouer his deuise, but plaine falsification of holy Scripture: For he makes the Apostle say to the Corinthians, *It is a shame for Christians to bee iudged vnder vnbeleeuing Magistrates*; whereas in that whole context of Paul, there is no such matter. For when the Apostle saith, *I speake it euen to your shame*; <sup>1</sup> he doeth not say it is a shame for a beleeuer to be iudged vnder an Infidel, but he makes them ashamed of their vngodly course, and vnchristian practise, that in suing and impleading one another, they layd their actions of contention in the Courts of vnbeleeuing Iudges. The shame was not in bearing that yoke which God had charged their necks withall, but in deuouring and eating vp one an other with Writs of *habeas corpus*, and with other Processes; as also in vncovering the shame, in laying open the shamefull parts and pranks played by Christians, before Infidels, to the great scandall of the Church. Here I say the L. Cardinall is taken in a tricke of manifest falsification. If therefore a King when he falls to play the heretike, deserueth to be deposed; why should not a Cardinall when he falls to play the iuggler with holy Scripture, deserue to be disrobed?

Meane while the indifferent Reader is to consider, how greatly this doctrine is preiudicial, and how full of danger, to Christians liuing vnder hereticall or Pagan Princes. For make it once knowne to the Emperour of Turkes, let him once get neuer so little a smacke of this doctrine; that Christians liuing vnder his Empire doe take Gods commandement, for obedience to Princes whom they count Infidels, to be onely a prouisional precept for a time, and wait euery houre for all occasions to shake off the yoke of his bondage; doubtlesse he will neuer spare with all speed to roote the whole stocke, with all the armes and branches of Christians out of his dominions. Adde hereunto the L. Cardinals former determination; that possession kept neuer so long by the Turke in his Conquests ouer Christians, gaines him not by so long tract of time one inch of prescription; and it will appear, that his Lordship puts the Turkish Emperour in minde, and by his instruction leades the said Emperour as it were by the hand, to haue no maner of

<sup>1</sup> πρὸς ἐντροπήν λέγω.

affiance in his Christian subiects; and withall to afflict his poore Christians with all sorts of most grievous and cruell torments. In this regard the poore Christians of Græcia and Syria, must needs be very little beholden to his Lordship. As for my selfe, and my Popish Subiects, to whom I am no lesse then an heretike forsooth am not I by this doctrine of the Cardinall, pricked and whetted against my naturall inclination, to turne clemencie into rigour; seeing that by his doctrine my subiects are made to beleue, they owe me subiection onely by way of *prouiso*, and with waiting the occasion to worke my vtter destruction and finall ruine; the rather, because Turkes, miscreants, and heretikes are marshalled by the Cardinall in the same ranke; and heretikes are counted worse, yea more iustly deposeable, then Turkes and Infidels, as irreligious breakers and violaters of their oath? Who seeth not here how great indignitie is offered to me a Christian King, paralleled with Infidels, reputed worse then a Turke, taken for an vsurper of my Kingdomes, reckoned a Prince, to whom subiects owe a forced obedience by way of prouision, vntill they shall haue meanes to shake off the yoke, and to bare my temples of the Crowne, which neuer can be pulled from the sacred Head, but with losse of the head it selfe?

Touching the warres vndertaken by the *French, English, and Germanes*, in their expedition for Ierusalem, it appeares by the issue and euent of the said warres, that God approoued them not for honourable. That expedition was a deuise and inuention of the Pope, whereby he might come to be infeoffed in the Kingdomes of Christian Princes. For then all such of the *French, English, or Germanes*, as vndertooke the Croisade, became the Popes meere vassals. Then all robbers by the high way side, adulterers, cutthroats, and base bankrupts, were exempted from the Secular and Ciuill power, their causes were sped in Consistorian Courts, so soone as they had gotten the Crosse on their cassocks or coat-armours, and had vowed to serue in the expedition for the Leuant. Then for the Popes pleasure and at his commaundement, whole cuntryes were emptied of their Nobles and common souldiers. Then they made long marches into the Leuant: For what purpose? Onely to die vpon the points of the *Saracens* pikes, or by the edge of their barbarous courtelasses, battle-axes, fauchions, and other weapons, without any benefit and aduantage to themselues or others. Then the Nobles were driuen to sell their goodly Mannors, and auncient demaines to the Church-men, at vnder prises and low rates; the very roote from which a great part of the Church and Church-mens reuenues hath sprung and growne to so great height. Then, to be short, his most bountifull Holiness<sup>1</sup> gaue to any of the riffe-raffe-rank, that would vndertake this expedition into the Holy land, a free and full pardon for all his sinnes, besides a degree of glory aboue the vulgar in the Celestial Paradise. Military vertue, I confesse, is commendable and honourable; provided it bee employed for iustice, and that generous noblenesse of valiant spirits bee not vnder a colour and shadow of piety, fetcht ouer with some casts or deuises of Italian cunning.

<sup>1</sup> See the Bull of Innoc. 3. at the end of the Latter. Conc.



Now let vs obserue the wisdom of the Lord Cardinall through this whole discourse. His Lordship is pleased in his Oration, to cite certaine few passages of Scripture, culls and picks them out for the most gracefull in shewe: leues out of his whole troupes of honourable witnesses, vpon whose testimonie, the Popes themselves and their principall adherents doe build his power to depose Kings, and to giue order for all Temporall causes. Take a sight of their best and most honourable witnesses. *Peter* said to Christ, *See here two swords*; and Christ answered, *It is sufficient*. Christ said to *Peter*, *Put vp thy sword into thy sheath*. God said to *Ieremie*,<sup>1</sup> *I haue established thee ouer Nations and Kingdomes*. *Paul*<sup>2</sup> said to the Corinthians, *The spirituall man discerneth all things*. Christ said to his Apostles, *Whatsoever yee shall loose vpon earth*: by which words the Pope hath power forsooth to loose the oath of allegiance. *Moses* said, *In the beginning God created the heauen and the earth*. Vpon these passages, Pope *Boniface* 8. grappling and tugging with *Philip* the Faire, doth build his Temporall power.<sup>3</sup> Other Popes and Papists auouch the like authorities. Christ said of himself, *All things are giuen to me of my Father, and all power is giuen vnto me in heauen and in earth*. The Devils said, *If thou cast vs out, send vs into this herd of swine*. Christ said to his Disciples, *Yee shall finde the colt of an asse bound, loose it and bring it vnto me*. By these places the aduersaries prooue, that Christ disposed of Temporall matters; and inferre thereupon, why not Christs Vicar as well as Christ himselfe. The places and testimonies now following are very expresse: *In stead of thy fathers shall be thy children: thou shalt make them Princes through all the earth*.<sup>4</sup> Item, Iesus Christ not onely commaunded *Peter* to feed his lambs; but said also to *Peter*, *Arise, kill, and eat*:<sup>5</sup> the pleasant glosse, the rare inuention of the L. Cardinall *Baronius*. Christ said to the people, *If I were lift vp from the earth, I will draw all things vnto me*. Who lets, what hinders this place from fitting the Pope? *Paul* said to the Corinthians, *Know ye not that we shall iudge the Angels? how much more then the things that pertaine vnto this life?* A little after, *Haue not we power to eate?* These are the chiefe passages, on which as vpon maine arches, the roofo of Papall Monarchie, concerning Temporall causes, hath rested for three or foure aages past. And yet his Lordship durst not repose any confidence in their firme standing to beare vp the said roofo of Temporall Monarchie, for feare of making his auditors to burst with laughter. A wise part without question, if his Lordship hath not defiled his lips before, with a more ridiculous argument drawne from the leprosie and drie scab.

Let vs now by way of comparison behold Iesus Christ paying tribute vnto *Cæsar*, and the Pope making *Cæsar* to pay him tribute: Iesus Christ perswading the Iewes to pay tribute vnto an heathen Emperour, and the Pope dispending with subiects for their obedience to Christian Emperours: Iesus Christ refusing to arbitrate a controuersie of inheritance partable betweene two priuate parties, and the Pope thrusting in himselfe without warrant or Commission to bee absolute

<sup>1</sup> Ier. 1.    <sup>2</sup> 1. Cor. 21.    <sup>3</sup> Extrauag. Vnam Sanctam.    <sup>4</sup> Psal. 45.    <sup>5</sup> Ioh. 12 [21].

Iudge in the deposing of Kings: Iesus Christ professing that his Kingdome is not of this world, and the Pope establishing himselfe in a terrene Empire. In like manner the Apostles forsaking all their goods to followe Christ, and the Pope robbing Christians of their goods; the Apostles persecuted by Pagan Emperours, and the Pope now setting his foote on the very throate of Christian Emperours, then proudly treading Imperiall Crownes vnder his feete. By this comparison, the L. Cardinalls allegation of Scripture in fauour of his Master the Pope, is but a kind of puppet-play, to make Iesus Christ a mocking stocke, rather then to satisfie his auditors with any sound precepts and wholesome instructions. Hereof he seemeth to giue some inckling himselfe: For after he hath beene plentiful in citing authorities of Scripture, and of newe Doctors, which make for the Popes power to depose Kings; at last he comes in with a faire and open confession,<sup>1</sup> that neither by diuine Oracles, nor by honourable antiquitie, this controuersie hath beene yet determined: and so pulls downe in a word with one hand, the frame of worke that he had built and set vp before with an other; discovering withall, the reluctance and priuie checkes of his owne conscience.

There yet remaineth one obiection, the knot whereof the L. Cardinall in a maner sweateth to vntie. His words be these:<sup>2</sup> *The champions for the negatiue flie to the analogie of other proceedings and practises in the Church: They affirme that priuate persons, masters or owners of goods and possessions among the common people, are not depriued of their goods for Heresie; and consequently that Princes much more should not for the same crime bee depriued of their estates.* For answeere to this reason, he brings in the defendants of deposition, speaking after this maner; *In the Kingdome of France the strict execution of lawes decreed in Court against Heretikes, is fauourably suspended and stopped, for the preservation of peace and publike tranquillitie.* He saith elsewhere; *Connuience is vsed towards these Heretikes in regard of their multitude, because a notable part of the French Nation and State is made all of Heretikes.* I suppose that out of speciall charitie, he would haue those Heretikes of his owne making, forewarned what courteous vse and entreaty they are to expect; when he affirmeth that execution of the lawes is but suspended: For indeed suspensions hold but for a time. But in a cause of that nature and importance, I dare promise my selfe, that my most honoured brother the King of *France*, will make vse of other counsell: will rather seeke the amitie of his neighbour Princes, and the peace of his Kingdome: will beare in mind the great and faithfull seruice of those, who in matter of religion dissent from his Maiestie, as of the onely men that haue preserued and saued the Crowne for the King his father, of most glorious memorie. I am perswaded my brother of *France* wil beleue, that his liege people pretended by the L. Cardinall to bee heretikes, are not halfe so bad as my Romane Catholike subiects, who by secret practises vndermine my life, serue a forreine Souereigne, are discharged by his Bulls of their obedience due to me their naturall Souereigne, are bound (by the maximes and rules published and

<sup>1</sup> Pag. 85.<sup>2</sup> Page 84.



maintained in fauour of the Pope, before this full and famous assemblie of the Estate at *Paris*; if the said maximes be of any weight and authoritie) to hold meet for no lawfull King, are there taught and instructed, that *Pauls* commandement concerning subiection vnto the higher Powers, aduerse to their professed religion, is onely a prouisionall precept, framed to the times, and watching for the opportunitie to shake off the yoake. All which notwithstanding, I deale with such Romane-Catholikes by the rules and wayes of Princely clemencie; their heinous and pernicious error, in effect no lesse then the capitall crime of high treason, I vse to call some disease or distemper of the mind. Last of all, I beleue my said brother of *France* will set downe in his tables, as in record, how little hee standeth ingaged to the L. Cardinall in this behalfe: For those of the reformed Religion professe and proclaime, that next vnder God, they owe their preseruacion and safetie to the wisdom and benignity of their Kings. But now comes the Cardinall, and he seekes to steale this perswasion out of their hearts: He tells them in open Parliament, and without any going about bushes, that all their welfare and securitie standeth in their multitude, and in the feare which others conceiue to trouble the State, by the strict execution of lawes against Heretikes.

He addeth moreouer, that *In case a third Sect should peepe out and growe vp in France, the professors thereof should suffer confiscation of their goods, with losse of life it selfe; as hath bene practised at Geneua against Seruetus, and in England against Ariens.* My answer is this, That punishments for heretikes, duely and according to Law conuicted, are set downe by decrees of the ciuill Magistrate, bearing rule in the countrey where the said heretikes inhabite, and not by any ordinances of the Pope. I say withall, the L. Cardinall hath no reason to match and parallell the reformed Churches with *Seruetus* and the *Arians*: For those heretikes were powerfully conuicted by Gods word, and lawfully condemned by the ancient Generall Councils, where they were permitted and admitted to plead their owne cause in person. But as for the trewth professed by me, and those of the reformed Religion, it was neuer yet hissed out of the Schooles, nor cast out of any Council, (like some Parliament bills) where both sides haue bene heard with like indifferencie. Yea, what Council soeuer hath bene offered vnto vs in these latter times, it hath bene proposed with certaine presuppositions: as, That his Holinesse (beeing a partie in the cause, and consequently to come vnder iudgement as it were to the barre vpon his triall) shall be the Iudge of Assize with Commission of *Oyer* and *Determiner*: it shall be celebrated in a citie of no safe accesse, without safe conduct or conuoy to come or goe at pleasure, and without danger: it shall be assembled of such persons with free suffrage and voyce, as vphold this rule, (which they haue already put in practise against *Iohn Hus* and *Hierome* of *Prage*) that faith giuen, and oath taken to an Heretike, must not be obserued.

Now then to resume our former matter; If the Pope hitherto hath neuer presumed, for pretended heresie to confiscate by sentence, either the lands or the

goods of priuate persons, or common people of the French Nation, wherefore should hee dare to dispossesse Kings of their Royall thrones ? wherefore takes he more vpon him ouer Kings, then ouer priuate persons; wherefore shall the sacred heads of Kings be more churlishly, vnciuilly, and rigorously handled, then the hoods of the meanest people ? Here the L. Cardinal in stead of a direct answer, breakes out of the lists, alledging cleane from the purpose examples of heretikes punished, not by the Pope, but by the ciuill Magistrate of the Countrey: But *Bellarmino* speakes to the point with a more free and open heart: hee is absolute and resolute in this opinion, that his Holinesse hath plenary power to dispose all Temporall estates and matters in the whole world; *I am confident* (saith *Bellarmino*<sup>1</sup>) *and I speake it with assurance, that our Lord Iesus Christ in the dayes of his mortalitie, had power to dispose of all Temporall things yea, to strip Soueraigne Kings and absolute Lords of their Kingdomes and Seignories: and without all doubt hath granted and left euen the same power vnto his Vicar, to make vse thereof whensoever hee shall thinke it necessary for the saluation of soules.* And so his Lordship speaketh without exception of any thing at all: For who doth not know, that *Iesus Christ* had power to dispose no lesse of priuate mens possessions, then of whole Realmes and Kingdomes at his pleasure, if it had beene his pleasure to display the ensignes of his power ? The same fulnesse of power is likewise in the Pope. In good time: belike his Holinesse is the sole heire of Christ, in whole and in part. The last Lateran Council<sup>2</sup> fineth a Laic that speaketh blasphemie, for the first offence (if he be a gentleman) at 25. ducats, and at 50. for the second. It presupposeth and taketh it for graunted, that the Church may rifle and ransacke the purses of priuate men, and cast lots for their goods. The Councill of *Trent* diggeth as deepe for the same veine of gold and siluer. It ordaines;<sup>3</sup> *That Emperours, Kings, Dukes, Princes, and Lords of cities, castles, and territories holding of the Church, in case they shall assigne any place within their limits or liberties for the duell betweene two Christians, shall be deprived of the said citie, castle, or place, where such duell shall be performed, they holding the said place of the Church by any kind of tenure: that all other Estates held in fee where the like offence shall be committed, shall forthwith fall and become forfeited to their immediate and next Lords: that all goods, possessions, and estates, as well of the combatants themselues, as of their seconds shall bee confiscate.* This Councill doeth necessarily presuppose, it lieth in the hand and power of the Church, to dispose of all the lands and estates, held in fee throughout all Christendome; (because the Church forsooth can take from one, and giue vnto an other all estates held in fee whatsoever, as well such as hold of the Church, as of secular Lords) and to make ordinances for the confiscation of all priuate persons goods. By this Canon the Kingdome of *Naples* hath need to looke well vnto it selfe. For one duell it may fall into the Exchecquer of the Romane Church; because that Kingdome payeth a Reliefe to the Church, as a Royaltie or Seignorie that holdeth in fee of the said Church. And in *France*

<sup>1</sup> Contr. Barclaium, cap. 27.<sup>2</sup> Sess. 9.<sup>3</sup> Sess. 25. cap. 19.



there is not one Lordship, not one Mannor, not one farme which the Pope by this meanes cannot shift ouer to a new Lord. His Lordship therefore had carried himselfe and the cause much better, if in stead of seeking such idle shifts, he had by a more large assertion maintained the Popes power to dispose of priuate mens possessions, with no lesse right and authoritie then of Kingdomes: For what colour of reason can bee giuen, for making the Pope Lord of the whole, and not of the parts? for making him Lord of the forrest in grosse, and not of the trees in parcell? for making him Lord of the whole house, and not of the parlour or the dining chamber?

His Lordship alleadgeth yet an other reason, but of no better weight: *Betweene the power of priuate owners ouer their goods, and the power of Kings ouer their estates, there is no little difference: For the goods of priuate persons are ordained for their owners, and Princes for the benefit of their Common-wealths.* Heare me now answere. If this Cardinal-reason hath any force to inferre, that a King may lawfully be depriued of his Kingdome for heresie, but a priuate person cannot for the same crime be turned out of his mansion house; then it shall follow by the same reason, that a Father for the same cause may bee depriued of all power ouer his children, but a priuate owner cannot be depriued of his goods in the like case: because goods are ordeined for the benefit and comfort of their owners, but fathers are ordeined for the good and benefit of their children: But most certain it is, that Kings representing the image of God in earth and Gods place, haue better and closer seate in their chaires of Estate, then any priuate persons haue in the saddle of their inheritances and patrimonies, which are dayly seene for sleight causes, to flit and to fall into the hands of new Lords: Whereas a Prince being the Head, cannot bee loosed in the proper ioynt, not dismounted; like a cannon when the carriage thereof is vnlockt, without a sore shaking and a most grieuous dislocation of all the members, yea, without subuerting the whole bodie of the State, whereby priuate persons without number are inwrapped together in the same ruine; euen as the lower shrubs and other brush-wood are crushed in pieces altogether by the fall of a great oake. But suppose his Lordships reason were somewhat ponderous and solide withall, yet a King (which would not bee forgotten) is endowed not onely with the Kingdome, but also with the ancient Desmenes and Crowne-lands, for which none can be so simple to say, The King was ordeined and created King; which neuerthelesse he loseth when hee loseth his Crowne. Admit againe this reason were of some pith, to make mighty Kings more easily deposeable then priuate persons from their patrimonies; yet all this makes nothing for the deriuing and fetching of deposition from the Popes Consistorie. What hee neuer conferred, by what right or power can he claime to take away?

But see heere no doubt a sharpe and subtile difference put by the L. Cardinall betweene a Kingdome, and the goods of priuate persons. *Goods, as his Lordship saith, are without life: they can be constrained by no force, by no example, by no inducement of their owners to lose eternall life: Subjects by their Princes may.* Now

I am of the contrary belief, That an hereticall owner, or master of a family, hath greater power and meanes withall, to seduce his owne seruants and children, then a Prince hath to peruert his own subiects; and yet for the contagion of Heresie, and for corrupt religion, children are not remoued from their parents, nor seruants are taken away from their masters. Histories abound with examples of most flourishing Churches, vnder a Prince of contrary religion. And if things without life or soule are with lesse danger left in an heretikes hands; why then shall not an hereticall King with more facilitie and lesse danger keepe his Crowne, his Royall charge, his lands, his customes, his imposts, &c? For will any man, except he bee out of his wits, affirme these things to haue any life or soule? Or why shall it bee counted folly to leaue a sword in the hand of a mad Bedlam? Is not a sword also without life and soule? For my part, I should rather be of this minde; that possession of things without reason, is more dangerous and pernicious in the hands of an euill master, then the possession of things endued with life and reason: For things without life lacke both reason and iudgment, how to exempt and free themselues from being instruments in euill and wicked actions, from being employed to vngodly and abominable vses. I will not deny, that an hereticall Prince is a plague, a pernicious and mortall sicknesse to the soules of his subiects: But a breach made by one mischiefe, must not bee filled vp with a greater inconuenience: An error must not be shocked and shouldered with disloialtie, not heresie with periurie, not impietie with sedition and armed rebellion against GOD and the King. GOD, who vseth to try and to schoole his Church, will neuer forsake his Church; nor hath need to protect his Church by any proditorious and prodigious practises of perfidious Christians: For he makes his Church to be like the burning bush: In the midst of the fire and flames of persecutions, hee will provide that she shall not be consumed, because hee standeth in the midst of his Church. And suppose there may be some iust cause for the French, to play the rebels against their King; yet will it not follow, that such rebellious motions are to be raised by the bellows of the Romane Bishop, to whose Pastorall charge and office it is nothing proper, to intermeddle in the ciuill affaires of forraine Kingdomes.

Here is the summe and substance of the L. Cardinals whole discourse, touching his pretence of the second inconuenience. Which discourse hee hath closed with a remarkeable confession: to wit, that neither by the authoritie of holy Scripture, nor by the testimonie and verdict of the Primitiue Church, there hath bene any full decision of this question. In regard whereof he falleth into admiration, that Lay-people haue gone so farre in audaciousnesse, as to labour that a doubtfull doctrine might for euer passe currant, and be taken for a new article of faith. *What a shame, what a reproach is this? how full of scandall?* for so his Lordship is pleased to cry out. *This breakes into the seueralls and inclosures of the Church: this lets in whole herds of heresies to grase in her greene and sweet pastures.* On the other side, without any such Rhetoricall outcries, I simply affirme: It is a re-



proach, a scandall, a crime of rebellion, for a subiect hauing his full charge and loade of benefits, in the new spring of his Kings tender aage, his King-fathers blood yet reeking, and vpon the point of an addresse for a double match with Spaine; in so honourable an assembly, to seeke the thraldome of his Kings Crowne, to play the captious in cauilling about causes of his Kings deposing, to giue his former life the Lye with shame enough in his old aage, and to make himselfe a common by-word, vnder the name of a *Problematicall Martyr*; one that offers himselfe to fagot and fire, for a point of doctrine but problematically handled; that is, distrustfully and onely by way of doubtfull and questionable discourse: yea for a point of doctrine, in which the French (as he pretendeth) are permitted to thwart and crosse his Holines in iudgement, provided they speake in it as in a point, not certaine and necessary, but onely doubtfull and probable.

### THE THIRD INCONVENIENCE EXAMINED.

THE third Inconuenience pretended by the L. Cardinall<sup>1</sup> to grow by admitting this Article of the third Estate, is flourished in these colours: *It would breed and bring foorth an open and vnauoydeable schisme against his Holinesse, and the rest of the whole Ecclesiasticall body: For thereby the doctrine long approued and ratified by the Pope and the rest of the Church, should now be taxed and condemned of impious and most detestable consequence; yea the Pope and the Church, euen in faith and in points of saluation, should be reputed and beleueed to be erroneously perswaded.* Hereupon his Lordship giues himselfe a large scope of the raines, to frame his elegant amplifications against schismes and schismatikes.

Now to mount so high, and to flie in such place vpon the wings of amplification for this Inconuenience, what is it else but magnifically to report and imagine a mischief by many degrees greater then the mischief is? The L. Cardinal is in a great errour, if hee make himselfe beleue, that other nations wil make a rent or separation from the communion of the French, because the French stand to it tooth and naile, that French Crownes are not liable or obnoxious to Papall deposition; howsoever there is no schisme that importeth not separation of communion. The most illustrious Republike of *Venice*, hath imbarcked herselfe in this quarrell against his Holinesse, hath played her prize, and caried away the weapons with great honour. Doeth she, notwithstanding her triumph in the cause, forbear to participate with all her neighbours in the same Sacraments? doeth she liue in schisme with all the rest of the Romane Church? No such matter. When the L. Cardinal himselfe not many yeeres past, maintained the Kings cause, and stood honourably for the Kings right against the Popes Temporall vsurpations, did he then take other Churches to be schismaticall, or the rotten members of *Antichrist*? Beleue it who list, I beleue my Creed. Nay his Lordship telleth vs himselfe a little after, that his Holinesse giues the French

<sup>1</sup> Pag. 87.

free scope, to maintaine either the affirmatiue or negatiue of this question. And will his Holinesse hold them schismatikes, that dissent from his opinion and iudgement in a subiect or cause esteemed problematicall? Farre be it from his Holinesse. The King of Spaine, reputed the Popes right arme, neuer gaue the Pope cause by any acte or other declaration, to conceiue that he acknowledged himselfe deposeable by the Pope for heresie, or Tyrannie, or stupiditie. But being well assured the Pope standeth in greater feare of his arme, then hee doeth of the Popes head and shoulders, he neuer troubles his owne head about our question. More, when the booke of Cardinall *Baronius* was come foorth, in which booke the Kingdome of Naples is descried and publicquely discredited (like false money) touching the qualitie of a Kingdome, and attributed to the King of Spaine, not as trew proprietary thereof, but onely as an Estate held in fee of the Romane Church; the King made no bones to condemne and to banish the said booke out of his dominions. The holy Father was contented to put vp his Catholike sonnes proceeding to the Cardinals disgrace, neuer opened his mouth against the King, neuer declared or noted the King to be schismaticall. He waits perhaps for some fitter opportunitie; when the Kingdome of Spaine groaning vnder the burthens of intestine dissensions and troubles, hee may without any danger to himselfe giue the Catholike King a Bishops mate. Yea, the L. Cardinal himselfe is better seene in the humors and inclinations of the Christian world, then to be grosly perswaded, that in the Kingdome of Spaine, and in the very heart of Rome it selfe there be not many, which either make it but a ieast, or else take it in fowle score, to heare the Popes power ouer the Crownes of Kings once named: especially since the Venetian Republic hath put his Holinesse to the worse in the same cause, and cast him in Law.

What needed the L. Cardinall then, by casting vp such mounts and trenches, by heaping one amplification vpon an other, to make schisme looke with such a terrible and hideous aspect? Who knowes not how great an offence, how heinous a crime it is to quarter not IESVS CHRISTS coat, but his body, which is the Church? And what needed such terrifying of the Church with vglinesse of schisme, whereof there is neither colourable shew, nor possibilitie?

The next vgly monster, after schisme, shaped by the L. Cardinall<sup>1</sup> in the third supposed and pretended inconuenience, is heresie. His Lordship saith for the purpose: *By this Article we are cast headlong into a manifest heresie, as binding vs to confesse, that for many aages past, the Catholike Church hath bene banished out of the whole world. For if the champions of the doctrine contrary to this Article, doe hold an impious and a detestable opinion, repugnant vnto Gods word, then doublesse the Pope for so many hundred yeeres expired, hath not bene the head of the Church, but an heretike and the Antichrist. He addeth moreouer; That the Church long agoe hath lost her name of Catholike, and that in France there hath no Church flourished, nor so much as appeared these many and more then many yeeres: for as much as all*

<sup>1</sup> Pag. 89.



*the French doctors for many yeeres together, haue stood for the contrary opinion. We can erect and set vp no trophy more honorable for heretikes in token of their victory, then to auow that Christs visible Kingdom is perished from the face of the earth, and that for so many hundred yeres that there hath not beene any Temple of God, nor any spouse of Christ, but euery where, and all the world ouer, the kingdom of Antichrist, the synagogue of Satan, the spouse of the diuel, hath mightily preuailed and borne all the sway. Lastly, what stronger engines can these heretikes wish or desire, for the battering and the demolishing of transubstantiation, of auricular confession, and other like towers of our Catholike Religion, then if it should bee granted the Church hath decided the said points without any authoritie? &c.*

Mee thinkes the L. Cardinal in the whole draught and course of these words doeth seeke not a little to blemish the honour of his Church, and to marke his religion with a blacke coale: For the whole frame of his Mother-Church is very easie to be shaken, if by the establishing of this Article she shall come to finall ruine, and shall become the Synagogue of Satan. Likewise, Kings are brought into a very miserable state and condition, if their Souereigntie shall not stand, if they shall not bee without danger of deposition, but by the totall ruine of the Church, and by holding the Pope, whom they serue, to be Antichrist. The L. Cardinall himselfe (let him be well sifted) herein doeth not credit his owne words: For doeth not his Lordship tell vs plaine, that neither by Diuine testimony, nor by any sentence of the ancient Church, the knot of this controuersie hath bene vntied? againe, that some of the French, by the Popes fauourable indulgence, are licensed or tolerated to say their mind, to deliuer their opinion of this question, though contrary to the iudgement of his Holinesse; provided they hold it onely as problematicall, and not as necessary? What? Can there be any assurance for the Pope, that hee is not Antichrist; for the Church of *Rome*, that she is not a Synagogue of Satan, when a mans assurance is grounded vpon wauering and wilde vncertainties, without Canon of Scripture, without consent or countenance of antiquitie, and in a cause which the Pope by good leaue suffereth some to tosse with winds of problematicall opinion? It hath beene shewed before, that by Gods word, whereof small reckoning perhaps is made, by venerable antiquitie, and by the French Church in those times when the Popes power was mounted aloft, the doctrine which teacheth deposing of Kings by the Pope, hath bene checked and countermanded. What, did the French in those dayes beleue the Church was then swallowed vp, and no where visible or extant in the world? No verely; Those that make the Pope of Soueraigne authoritie for matters of Faith, are not perswaded that in this cause they are bound absolutely to beleue and credit his doctrine. Why so? Because they take it not for any decree or determination of Faith; but for a point pertaining to the mysteries of State, and a pillar of the Popes Temporall Monarchie; who hath not receiued any promise from God, that in causes of this nature hee shall not erre: For they hold, that error by no meanes can crawle or scramble vp to the Papall

See, so highly mounted; but grant ambition can scale the highest walls, and climbe the loftiest pinacles of the same See. They hold withall, that in case of so speciall aduantage to the Pope, whereby he is made King of Kings, and as it were the pay-master or distributer of Crownes, it is against all reason that hee should sit as Iudge, to carue out Kingdomes for his owne share. To bee short, let his Lordship be assured that he meeteth with notorious blockeheads, more blunt-witted then a whetstone, when they are drawne to beleue by his perswasion, that whosoeuer beleeueth the Pope hath no right nor power to put Kings beside their Thrones, to giue and take away Crownes, are all excluded and barred out of the heauenly Kingdome.

But now followes a worse matter: For they whom the Cardinall reproachfully calls heretikes, haue wrought and wonne his Lordship (as to mee seemeth) to plead their cause at the barre, and to betray his owne cause to these heretikes: For what is it in his Lordship, but plaine playing the Præuaricator, when he crieth so lowd, that by admitting and establishing of this Article, the doctrine of Cake-incarnation and priuie Confession to a Priest, is vtterly subuerted? Let vs heare his reason, and willingly accept the trewth from his lips. The Articles (as his Lordship granteth) of Transubstantiation, auricular Confession, and the Popes power to depose Kings, are all grounded alike vpon the same authoritie. Now he hath acknowledged the Article of the Popes power to depose Kings, is not decided by the Scripture, not by the ancient Church, but within the compasse of certaine aages past, by the authoritie of Popes and Councils. Then he goes on well, and inferres with good reason, that in case the point of the Popes power be weakened, then the other two points must needs bee shaken, and easily ouerthrowen: So that hee doeth confesse the monstrous birth of the breaden-God, and the blind Sacrament or vaine fantasie of auricular confession, are no more conueyed into the Church by pipes from the springs of sacred Scripture, or from the riuers of the ancient Church, then that other point of the Popes power ouer Kings and their Crownes. Very good: For were they indeed deriued from either of those two heads, that is to say, were they grounded vpon the foundation of the first or second authoritie; then they could neuer bee shaken by the downefall of the Popes power to depose Kings. I am well assured, that for vsing so good a reason, the world will hold his Lordship in suspicion, that he still hath some smacke of his fathers discipline and instruction, who in times past had the honour to be a Minister of the holy Gospel.

Howbeit he playeth not faire, nor vseth sincere dealing in his proceeding against such as he calls heretikes; when hee casts in their dish, and beares them in hand they frowardly wrangle for the inuisibilitie of the Church in earth: For indeed the matter is nothing so. They freely acknowledge a visible Church: For howsoeuer the assembly of Gods elect, doth make a body not discernable by mans eye; yet we assuredly beleue, and gladly professe, there neuer wanted a visible Church in the world; yet onely visible to such as make a part of the same.



All that are without, see no more but men, they doe not see the said men to be the trew Church. Wee beleue moreouer of the vniuersall Church visible, that it is composed of many particular Churches, whereof some are better fined and more cleane from lees and dregs then other: and withall, we denie the purest Churches to be alwayes the greatest and most visible.

#### THE FOVRTH AND LAST INCONVENIENCE EXAMINED.

THE Lord Cardinall before he looketh into the last Inconuenience, vseth a certaine preamble of his owne life past, and seruices done to the Kings, *Henry* the III. and IIII. Touching the latter of which two Kings, his Lordship saith in a straine of boasting, after this manner: *I, by the grace of God, or the grace of God by mee rather, reduced him to the Catholike religion. I obtained at Rome his absolution of Pope Clement 8. I reconciled him to the holy See.* Touching the first of these points; I say the time, the occasions, and the foresaid Kings necessary affaires doe sufficiently testifie, that he was induced to change his mind, and to alter his religion, vpon the strength of other manner of arguments then Theological schooles, or the perswasions of the L. Cardinals fluent Rhetoricke, doe vsually afford, or could possibly suggest. Moreouer, who doeth not know, that in affaires of so high nature and consequence, resolutions once taken, Princes are to proceede with instructions by a formal course? As for the Kings absolution, pretended to bee purchased of *Clement 8.* by the L. Cardinals good seruice; it had beene the part of so great a Cardinall, for the honour of his King, of the Realme, and of his owne place, to haue buried that piece of his notable seruice in perpetuall silence, and in the darke night of eternall obliuion: For in this matter of reconcilement, it is not vnknowne to the world, how shamefully and basely hee prostituted the inuiolable dignity of his King, when his Lordship representing the person of his King, and couching on the ground by way of sufficient penance, was glad (as I haue noted in the Preface to my Apologie) to haue his venerable shoulders gracefully saluted with stripes, and reuerently worshipped with bastonados of a Pontificall cudgell. Which gracefull, or disgracefull blemish rather, it pleased Pope *Clement* of his rare clemencie, to grace yet with a higher degree of spirituall graces; in giuing the L. Cardinall then Bishop of *Eureux*, a certaine quantity of holy graines, crosses, and medals, or little plates of siluer, or some other mettall, to hang about the necke, or to bee borne about against some euill: Which treasures of the Popes grace, whosoeuer should graciously and reuerently kisse, they should without faile purchase vnto themselues a pardon for one hundred yeeres. These feate and pretie gugawes for children, were nor doubt a speciall comfort vnto the good Kings heart, after his Maiestie had beene handsomely basted vpon the L. Bishops backe. But with what face can his Lordship brag, that he preuailed with Pope *Clement* for the Kings absolution? The late Duke of *Neuers*, not long before had solicited his Holines, with all earnest and humble instance to the same purpose;

howsoever, the Kings affaires then seeming desperate in the Popes eye, he was licensed to depart for *France*, without any due and gracious respect vnto his errand. But so soone as the Pope receiued intelligence, of the Kings fortunes growing to the full, and the affaires of the League to be in the wane, and the principall cities, the strongest places of garrison through all *France* to strike tops and tops gallant, and to hale the King; then the holy Ghost in good time inspired the holy Father with a holy desire and tender affection, to receiue this poore wandring sheep againe into the flocke of Christ, and bosome of holy Church. His Holinesse had reason: For he feared by his obstinate seuerity to prouoke the patience of the French, and to driue that Nation (as they had many times threatned before) then to put in execution their auncient designe; which was, to shake off the Pope, and to set vp some of their owne tribes or kinreds for Patriarch ouer the French Church. But let his Lordshippe vouchsafe to search the secret of his owne bosome, and no doubt he wil not sticke to acknowledge, that before he stirred one foote out of *France*, he had good assurance of the good successe and issue of his honourable embassage.

Now the hearers thus prepared by his Preface, the L. Cardinall proceedeth in his purpose; namely to make prooffe, how this Article of the third Estate, wherein doubtfull and questionable matters are mingled and confounded with certaine and indubitable principles, doth so debilitate and weaken the sinewes and vertue of any remedy intended for the danger of Kings, as it maketh all remedies and receipts prescribed for that purpose, to become altogether vnprofitable, and without effect. He yeelds this reason, (take it forsooth vpon my warrant) a reason full of pith and substance: The onely remedie against parricides, is to thunder the solemne curses of the Church, and the punishments to be inflicted after death: which points, if they be not grounded vpon infallible authoritie, will neuer be settled in mens perswasions with any certaine assurance. Now in the solemne curses of the Church, no man can attaine to the said assurance, if things not denied be mingled with points not graunted, and not consented vnto by the Vniuersall Church. By a thing not denied and not contested, the L. Cardinall meanes prohibiting and condemning of King-killing: and by points contested, he meanes denying of the Popes power to depose Kings.

In this whole discourse, I find neither pith of argument, nor course of prooffe; but onely a cast of the L. Cardinalls office by way of counsell: whereunto I make this answere. If there be in this Article of the third Estate any point, wherein all are not of one mind and the same iudgement; in whom lieth all the blame, from whence rises the doubt, but from the Popes and Popish parasites, by whom the certaintie of the said point hath bin cunningly remooued and conueied away, and must be restored againe by publike authority? Now the way to restore certainty vnto a point, which against reason is called into doubt and question, is to make it vp in one masse, or to tie it vp in the same bundle, with other certaine points of the same nature.



Here I am forced to summon the consciences of men, to make some stand or stay vpon this point, and with me to enter into deepe consideration, how great and vnvanquishable force is euer found in the trewth: For these two questions, Whether Kings may lawfully be made away by assassins waged and hired for the act; and Whether the Pope hath lawfull power to chase Kings out of their Thrones, are by the L. Cardinals owne confession, in so full aspect of coniunction, that if either bee brought vnder any degree of doubt, the other also is fetcht within the same compasse. In which words he directly pointeth as with a finger to the very trew source of the maine mischiefe, and to the basilique and liuer veine, infected with pestilential blood, inflamed to the destruction of Basilicall Princes by detestable parricide: For whosoeuer shall confidently beleue that Popes are not armed with power to depose Kings; will beleue with no lesse confidence and assurance, it is not lawful by sudden assaults to flie at their throats. For are not all desperate villaines perswaded, when they are hired to murder Kings, that in doing so damnable a feate, they doe it for a piece of notable and extraordinary seruice to the Pope? This maxime therefore is to be held for a principle vnmooueable and indubitable; that, If subiects desire the life of their Kings to bee secured; they must not yeeld the Pope one inch of power, to depriue their Kings of their Thrones and Crownes, by deposing their Kings.

The Lord Cardinall testifieth no lesse himselfe in these words: *If those monsters of men, and furies of hell, by whom the life-blood of our two last Kings was let out had euer beene acquainted with Lawes Ecclesiasticall, they might haue read themselves adiudged by the Councill of Constance to expresse damnation.* For in these words, the L. Cardinall preferreth a bill of inditement to cast his Holinesse; who, vpon the commencing of the Leaguers warres, in stead of giuing order for the publishing of the said Ecclesiasticall Lawes for the restraining of all parricidicall practises and attempts, fell to the terrour of his fulminations, which not long after were seconded and ratified by the most audacious and bloody murder of King Henry III. In like manner, the whole Clergy of *France* are wrapped vp by the L. Cardinals words, and inuolued in the perill of the said inditement: For in stead of preaching the said Ecclesiasticall Lawes, by which all King-killing is inhibited; the Priests taught, vented, and published nothing but rebellion; and when the people in great deuotion came to powre their confessions into the Priests eares; then the Priests, with a kind of counterbuffe in the second place when their turne was come, and with great deuotion, powred blood into the eares of the people; out of which roote grewe the terrour of those cruell warres, and the horrible parricide of that good King.

But let vs here take some neere sight of these Ecclesiasticall Lawes, whereby subiects are inhibited to kill, or desperately to dispatch their Kings out of the way. The Lord Cardinall, for full payment of all scores vpon this reckoning, layeth downe the credit of the Councill at *Constance*, which neuerthelesse affoordeth not one myte of trew and currant payment. The trewth of the history may bee

taken from this briefe relation. *Iohn* Duke of Burgundy, procured *Lewis* Duke of Orleans to be murdered in Paris: To iustifie and make good this bloody acte, he produced a certaine petimaster, one called by the name of *Iohn Petit*. This little *Iohn* caused nine propositions to be giuen foorth or set vp, to bee discussed in the famous Vniuersitie of Paris: The summe of all to this purpose; It is lawfull, iust, and honourable, for euery subiect or priuate person either by open force and violence, or by deceit and secret lying in waite, or by some wittie stratagem, or by any other way of fact, to kil a Tyrant practising against his King, and other higher powers; yea the King ought in reason, to giue him a pension or stipend, that hath killed any person disloyal to his Prince. The words of *Petits* first proposition be these:<sup>1</sup> *It is lawfull for euery subiect, without any command or commission from the higher powers by all the Lawes of nature, of man, and of God himselfe, to kill or cause to be killed any Tyrant, who either by a couetous and greedie desire, or by fraud, by diuination vpon casting of Lots, by double and treacherous dealing, doeth plot or practise against his Kings corporall health, or the health of his higher powers.* In the third proposition: *It is lawfull for euery subiect honourable and meritorious, to kill the said Tyrant, or cause him to be killed as a Traitor, disloyall and trecherous to his King.* In the sixt proposition: *The King is to appoint a salarie and recompence for him that hath killed such a Tyrant, or hath caused him to bee killed.* These propositions of *Iohannes Paruus*, were condemned by the Councill of Constance, as impious, and tending to the scandall of the Church. Now then, whereas the said Councill no doubt vnderstood the name or word Tyrant in the same sense, wherein it was taken by *Iohannes Paruus*; certaine it is, the Councill was not of any such iudgement or mind, to condemne one that should kill a King or Soueraigne Prince; but one that by treason, and without commandement should kill a subiect, rebelling and practising against his King. For *Iohn Petit* had vndertaken to iustifie the making away of the Duke of Orleans to be a lawfull acte, and calls that Duke a Tyrant, albeit hee was no Soueraigne Prince; as all the aboue recited words of *Iohn Petit* doe testifie, that he speaketh of such a Tyrant, as being in state of subiection, rebelleth against his free and absolute Prince: So that whosoeuer shall narrowly search and looke into the mind and meaning of the said Council, shal easily perceiue, that by their decrees the safetie of Kings was not confirmed but weakened, not augmented but diminished; for as much as they inhibited priuate persons to kill a Subiect, attempting by wicked counsels and practises to make away his King.

But be it granted, the Councill of Constance is flat and altogether direct against King-killers; For I am not vnwilling to be perswaded, that had the question then touched the murdering of Soueraigne Princes, the said Councill would haue passed a sound and holy decree: But, I say, this granted, what shield of defence is hereby reached to Kings, to ward or beat off the thrust of a murderers weapon, and to saue or secure their life? seeing the L. Cardinall, building vpon

<sup>1</sup> Gerson.



the subtile deuise and shift of the *Iesuites*, hath taught vs out of their Schooles, that by Kings are vnderstood Kings in *esse*, not yet fallen from the supream degree of Soueraigne Royaltie: For being once deposed by the Pope, (say the *Iesuites*) they are no longer Kings, but are fallen from the rights of Soueraigne dignitie; and consequently to make strip and wast of their blood, is not forsooth to make strip and wast of Royall blood. The *Iesuiticall* masters, in the file of thire words are so supple and so limber, that by leauing still in their speech some starting hole or other, they are able by the same, as by a posterne or backdoore, to make an escape.

Meane while the Readers are here to note (for well they may) a tricke of monstrous and most wicked cunning. The L. Cardinall contends for the bridling and hampering of King-killers by the Lawes Ecclesiasticall. Now it might be presumed, that so reuerend and learned a Cardinal intending to make vse of Ecclesiasticall Lawes, by vertue whereof the life of Kings may be secured, would fill his mouth and garnish the point with diuine Oracles, that wee might the more gladly and willingly giue him the hearing, when hee speakes as one furnished with sufficient weight and authoritie of sacred Scripture. But behold, in stead of the authentick and most ancient word, hee propounds the decree of a lateborne Councill at Constance, neither for the Popes tooth, nor any way comming neere the point in controuersie. And suppose it were pertinent vnto the purpose, the L. Cardinall beareth in his hand a forke of distinction, with two tines or teeth to beare off, nay to shift off and to auoid the matter with meere dalliance. The shortest and neerest way (in some sort of respects) to establish a false opinion, is to charge or set vpon it with false and with ridiculous reasons. The like way to worke the ouerthrow of trew doctrine, is to rest or ground it vpon friuolous reasons or authorities of stubble-weight. For example; if we should thus argue for the immortalitie of the soule with *Plato*:<sup>1</sup> The swan singeth before her death; *ergo*, the soule is immortall. Or thus with certaine seduced Christians: The Pope hath ordained the word of God to be authentick: *ergo*, all credit must be giuen to diuine Scripture. Vpon the spurkies or hookes of such ridiculous arguments and friuolous reasons, the L. Cardinall hangs the life and safetie of Kings.

With like artificiall deuises hee pretendeth to haue the infamous murders, and apposted cutting of Kings throats in extreame detestation; and yet by deposing them from their Princely dignities, by degrading them from their supream and Soueraigne authorities, hee brings their sacred heads to the butchers blocke: For a King deposed by the Pope, (let no man doubt) will not leaue any stone vnremoued, nor any meanes and wayes vnattempted, nor any forces or powers of men vnleuiued or vnhiired, to defend himselfe and his Regall dignitie, to repress and bring vnder his rebellious people, by the Pope discharged of their alleagiance. In this perplexitie of the publike affaires, in these tempestuous perturbations of the State, with what perils is the King not besieged and assaulted? His head is

<sup>1</sup> In Phædone.

exposed to the chances of warre; his life a faire marke to the insidious practises of a thousand traitours; his Royall person obuious to the dreadfull storme of angry fortune, to the deadly malice, to the fatall and mortall weapons of his enemies. The reason: He is presupposed to be lawfully and orderly stripped of his Kingdome. Wil he yet hold the sterne of his Royall estate? Then is he necessarily taken for a Tyrant, reputed an vsurper, and his life is exposed to the spoile: For the publike lawes make it lawful and free, for any priuate person to enterprise against an vsurper of the Kingdome: *Euery man, saith Tertullian,<sup>1</sup> is a souldier, to beare armes against all traitors and publike enemies.* Take from a King the title of lawfull King, you take from him the warrant of his life, and the weapons whereby he is maintained in greater securitie, then by his Royall Guard armed with swords and halberds, through whose wards and ranks, a desperate villaine will make himselfe an easie passage, being master of another mans life, because he is prodigall and carelesse of his owne. Such therefore as pretend so much pity towards Kings, to abhorre the bloody opening of their liuer-veine, and yet withall, to approoue their hoysting out of the Royall dignity, are iust in the veine and humour of those that say, Let vs not kill the King, but let vs disarme the King that he may die a violent death: let vs not depriue him of life, but of the meanes to defend his life: let vs not strangle the King and stop his vitall breath, so long as he remaineth King; O that were impious, O that were horrible and abominable; but let him be deposed, and then whosoeuer shall runne him through the body with a weapon vp to the very hilts, shall not beare the guilt of a King-killer. All this must be vnderstood to be spoken of Kings, who after they are despoiled of Regalitie, by sentence of deposition giuen by the Pope, are able to arme themselves, and by valiant armes doe defend their Soueraigne rights. But in case the King, blasted with Romane lightning, and stricken with Papall thunder, shall actually and speedily bee smitten downe from his high Throne of Regality, with present losse of his Kingdome; I beleuee it is almost impossible for him to warrant his owne life, who was not able to warrant his owne Kingdome. Let a cat be thrown from a high roofe to the bottom of a cellour or vault, she lighteth on her feet, and runneth away without taking any harme. A King is not like a cat, howsoeuer a cat may looke vpon a King: he cannot fall from the loftie pinnacle of Royalty, to light on his feet vpon the hard pauement of a priuate state, without crushing all his bones in pieces. It hath bene the lot of very few Emperors and Kings, to outliue their Empire: For men ascend to the loftie Throne of Kings, with a soft and easie pace, by certaine steps and degrees; there be no stately staires to come downe, they tumble head and heeles together when they fall. He that hath once griped anothers Kingdome, thinks himselfe in little safetie, so long as he shall of his courtesie suffer his disseised predecessour to draw his breath. And say that some Princes, after their fall from their Thrones, haue escaped both point and edge of the Tyrants weapon; yet haue they wandred like miserable

<sup>1</sup> In reos Maiestatis, publicos hostes omnis homo miles est. Tertul. apol. cap. 2.



fugitiues in forreine countreys, or else haue bene condemned like captiues to perpetuall imprisonment at home, a thousand-fold worse and more lamentable then death it selfe. *Dionysius* the Tyrant of *Syracusa*, from a great King in *Sicilie* tur'nd Schoolemaster in *Corinth*. It was the onely calling and kind of life, that as he thought bearing some resemblance of rule and gouernment, might recreate his mind, as an image or picture of his former Soueraigntie ouer men. This *Dionysius* was the onely man (to my knowledge) that had a humour to laugh after the losse of a Kingdome, and in the state of a Pedant or gouernour of children, merily to ieast and to scorne his formèr state and condition of a King. In this my Kingdome of *England*, sundry Kings haue seene the walls as it were of their Princely fortresse dismantled, razed, and beaten downe. By name, *Edward* and *Richard*, both II. and *Henrie* the VI. all which Kings were most cruelly murdered in prison. In the reigne of *Edward* III. by Acte of Parliament, *Whosoever shall imagine*, (that is the very word of the Statute) *or machinate the Kings death, are declared guiltie of Rebellion and high Treason*. The learned Iudges of the Land, grounding vpon this Law of *Edward* the third, haue euer since reputed and iudged them traitors according to Law, that haue dared only to whisper or talke softly betweene the teeth, of deposing the King: For they count it a cleare case, that no Crowne can be taken from a Kings head, without losse of Head and Crowne together, sooner or later.

The L. Cardinal<sup>1</sup> therefore in this most weightie and serious point doth meerely dally and flowt after a sort, when hee tells vs, *The Church doeth not intermeddle with releasing of subiects, and knocking off their yrons of obedience, but onely before the Ecclesiasticall tribunall seat; and that besides this double censure, of absolution to subiects, and excommunication to the Prince, the Church imposeth none other penaltie. Vnder pretence of which two censures, so farre is the Church* (as the L. Cardinall pretendeth) *from consenting that any man so censured should bee touched for his life, that she vtterly abhorreth all murder whatsoeuer; but especially all sudden and vnpre-penced murders for feare of casting away both body and soule; which often in sudden murders goe both one way*. It hath bene made manifest before, that all such proscription and setting forth of Kings to port-sale, hath alwaies for the traine thereof, either some violent and bloody death, or some other mischief more intolerable then death it selfe. What are we the better, that parricides of Kings are neither set on, nor approued by the Church in their abominable actions; when shee layeth such plots, and taketh such courses, as necessarily doe inferre the cutting of their throates? In the next place be it noted, that his Lordship against all reason, reckons the absolving of subiects from the oath of alleagiance, in the ranke of penalties awarded and enioyned before the Ecclesiasticall tribunall seate: For this penaltie is not Ecclesiasticall, but Ciuill, and consequently not triable in Ecclesiasticall Courts, without vsurping vpon the Ciuill Magistrate. But I wonder with what face the L. Cardinall can say, *The Church neuer con-*

<sup>1</sup> Page 95.

senteth to any practise against his life, whom she hath once chastised with seuer censures: For can his Lordship be ignorant, what is written by Pope *Vrbanus*,<sup>1</sup> *Can. Excommunicatorum*. *Wee take them not in any wise to bee man-slayers, who in a certaine heat of zeale towards the Catholike Church their Mother, shall happen to kill an excommunicate person.* More, if the Pope doth not approoue and like the practice of King-killing, wherefore hath not his Holinesse imposed some seuer censure vpon the booke of *Mariana* the Iesuite (by whom parricides are commended, nay highly extolled) when his Holinesse hath beene pleased to take the paines to censure and call in some other of *Mariana's* bookes? Againe, wherefore did his Holinesse aduise himselfe to censure the Decree of the Court of Parliament in *Paris* against *Iohn Chastell*? Wherefore did hee suffer *Garnet* and *Oldcorne* my powder-miners, both by bookes and pictures vendible vnder his nose in *Rome*, to be inrowled in the Canon of holy Martyrs? And when hee saw two great Kings murdered one after another, wherefore by some publike declaration did not his Holinesse testifie to all Christendome, his inward sense and trew apprehension of so great misfortune, as all *Europe* had iust cause to lament on the behalfe of *France*? Wherefore did not his Holinesse publish some Law or Pontificall Decree, to prouide for the securitie of Kings in time to come? Trew it is, that he censured *Becanus* his booke: But wherefore? That by a captious and sleight censure, he might preuent a more exact and rigorous Decree of the *Sorbone* Schoole: For the Popes checke to *Becanus*, was onely a generall censure and touch, without any particular specification of matter touching the life of Kings. About some two moneths after, the said booke was printed againe, with a dedication to the Popes *Nuntio* in *Germany*; yet without any alteration, saue onely of two articles containing the absolute power of the people ouer Kings. In recompence and for a counterchecke whereof, three or foure articles were inserted into the said booke, touching the Popes power ouer Kings; articles no lesse wicked & iniurious to Regall rights; nay more iniurious then any of the other clauses, whereof iust cause of exception and complaint had bene giuen before. If I would collect and heape vp examples of ancient Emperours, (as of *Henrie IV.* whose dead corps felt the rage and furie of the Pope; or of *Frederic II.* against whom the Pope was not ashamed to whet and kindle the Sultane; or of Queene *Elizabeth* our Predecessour, of glorious memorie, whose life was diuers times assaulted by priuie murderers, expresly dispatched from *Rome* for that holy seruice) if I would gather vp other examples of the same stampe, which I haue layd forth in my Apologie for the oath of alleagiance; I could make it more cleare then day-light, how farre the L. Cardinals words are discrepant from the trewth, where his Lordship<sup>2</sup> out of most rare confidence is bold to auow, *That neuer any Pope went so farre, as to giue consent or counsell for the desperate murdering of Princes.* That which already hath bene alleadged may suffice to conuince his Lordship: I meane, that his Holinesse by deposing of Kings, doeth lead them directly to their graues and tombes.

<sup>1</sup> Can. excom. Caus. 23. Quæst. 6.<sup>2</sup> Page 97.



The Cardinall <sup>1</sup> himselfe seemeth to take some notice hereof. *The Church* (as he speaketh) *abborreth sudden and vnrepensed murders about the rest.* Doth not his Lordship in this phrase of speech acknowledge, that murders committed by open force, are not so much disauowed or disclaimed by the Church? A little after he speakes not in the teeth, as before, but with full and open mouth; that hee doeth not dislike a King once deposed by the Pope, should be pursued with open warre: Whereupon it followes, that in warre the King may be lawfully slaine. No doubt a remarkable degree of his Lordships clemencie. A King shall bee better entreated and more mildly dealt withal, if he be slaine by the shot of an harquebuse or caleeuer in the field, then if hee bee stabd by the stroke or thrust of a knife in his chamber: or if at a siege of some city hee be blowne vp with a myne, then by a myne made, and a traine of gunpowder laid vnder his Palace or Parliament house in time of peace. His reason: Forsooth, because in sudden murders, oftentimes the soule and the body perish both together. O singular bountie, and rare clemencie! prouokers, instigators, strong puffers and blowers of parricides, in mercifull compassion of the soule, become vnmercifull and shamefull murderers of the body. This deuice may well claime and challenge kinred of *Mariana* the *Iesuites* inuention: For he liketh not at any hand the poisoning of a Tyrant by his meat or drinke; for feare lest he taking the poison with his owne hand, and swallowing or gulping it downe in his meate or drinke so taken, should be found *felo de se*, (as the common Lawyer speaketh) or culpable of his owne death. But *Mariana* likes better, to haue a Tyrant poysoned by his chaire, or by his apparell and robes, after the example of the *Mauritanian* Kings; that being so poysoned onely by sent, or by contact, he may not be found guiltie of selfe-fellonie, and the soule of the poore Tyrant in her flight out of the body may be innocent. O hel-hounds, O diabolical wretches, O infernall monsters! Did they onely suspect and imagine, that either in Kings there is any remainder of Kingly courage, or in their subiects any sparke left of ancient libertie; they durst as soone eat their nailes, or teare their owne flesh from the bones, as once broach the vessell of this diabolicall deuice. How long then, how long shall Kings whom the Lord hath called his Anointed, Kings the breathing Images of God vpon earth; Kings that with a wry or frowning looke, are able to crush these earth-wormes in pieces; how long shall they suffer this viperous brood, scotfree and without punishment, to spit in their faces? how long, the Maiestie of God in their person and Royall Maiestie, to be so notoriously vilified, so dishonourably trampled vnder foot?

The L. Cardinall boards vs with a like manifest ieast, and notably trifles; first, distinguishing betweene Tyrants by administration, and Tyrants by vsurpation; then shewing that he by no means doeth approue those prophane and heathenish Lawes, whereby secret practises and conspiracies against a Tyrant by administration are permitted. His reason; *Because after deposition there is a certaine habitude*

<sup>1</sup> Pag. 95.

to Royall dignitie, and as it were a kinde of politicke Character inherent in Kings, by which they are discerned from persons meerely priuate, or the common sort of people; and the obstacle, crosse-barre, or sparre once remooued and taken out of the way, the said Kings deposed are at length reinuested and endowed againe with lawfull vse of Royall dignitie, and with lawfull administration of the Kingdome. Is it possible that his Lordship can speake and vtter these words according to the inward perswasion of his heart? I beleue it not. For admit a King cast out of his Kingdome were sure to escape with life; yet being once reduced to a priuate state of life, after hee hath wound or wrought himselfe out of deadly danger, so farre he is from holding or retayning any remainder of dignity or politike impression, that on the contrary he falleth into greater contempt and misery, then if he had bene a very peasant by birth, and had neuer held or gouerned the sterne of Royall estate. What fowle is more beautifull then the peacocke? Let her be plumed and bereft of her feathers; what owle, what iacke-daw more ridiculous, more without all pleasant fashion? The homely sowter, the infamous catchpol, the base tincker, the rude artificer, the pack-horse porter, then liuing in Rome with libertie, when *Valentinian* was detain'd captiue by *Saporas* the Persian King, was more happie then that Romane Emperour. And in case the L. Cardinall himselfe should bee so happie (I should say so vnfortunate) to be stript of all his dignities and Ecclesiasticall promotions; would it not redound to his Lordships wonderfull consolation, that in his greatest extremity, in the lowest of his barenesse and nakednesse, he still retaineth a certaine habituall right and character of a Cardinall, whereby to recouer the losse of his former dignities and honours? when hee beholds these prints and impressions of his foresaid honours; would it not make him the more willing and glad, to forsake the backe of his venerable mule, to vse his Cardinals foot-cloath no longer, but euer after like a Cardinall in print and character, to walke on foot?

But let vs examine his Lordships consolation of Kings, thrust out of their kingdomes by the Pope for heresie. *The obstacle* (as the L. Cardinall speaketh) *being taken away*; that is to say, when the King shall be reformed; *this habituall right and character yet inherent in the person of a King, restores him to the Lawfull administration of his Kingdome*. I take this to be but a cold comfort: For here his Lordship doeth onely presuppose, and not prooue, that after a King is thrust out of his Throne, when hee shall repent and turne trew Romane Catholike, the other by whom he hath bene cast out, and by force disseised, will recall him to the Royall seat, and faithfully settle him againe in his ancient right, as one that reioyceth for the recouery of such a lost sheepe. But I should rather feare, the new King would presse and stand vpon other termes; as a terme of yeeres for a triall, whether the repentance of the King displaced be trew & sound to the coare, or counterfeit, dissembled, and painted holines; for the words, the sorrowfull and heauie lookes, the sad and formall gestures, of men pretending repentance, are not alwayes to bee taken, to be respected, to be credited. Again, I should feare



the afflicted King might be charged and borne downe too, that albeit hee hath renounced his former heresie, hee hath stumbled since at an other stone, and runne the ship of his faith against some other rocke of new hereticall prauitie. Or I should yet feare, he might be made to beleue that heresie maketh a deeper impression, and a character more indeleble in the person, then is the other politike character of Regal Maiestie. Alas, good Kings! in how hard, in how miserable a state doe they stand? Once deposed, and euer barred of repentance: As if the scapes and errors of Kings, were all sinnes against the Holy Ghost, or sinnes vnto death, for which it is not lawfull to pray. Falls a priuate person? he may be set vp, and new established. Falls a King? is a King deposed? his repentance is euer fruitlesse, euer vnprofitable. Hath a priuate person a traine of seruants? He can not be depriued of any one without his priuitie and consent. Hath a King millions of subiects? He may be depriued by the Pope of a third part, when his Holinesse will haue them turne Clerics or enter Cloisters, without asking the King leaue: and so of subiects they may be made non-subiects.

But I question yet further. A King falling into heresie, is deposed by the Pope, his sonne stands pure Catholike: The Regal seat is empty. Who shall succeed in the deposed Kings place? Shall a stranger be preferred by the Pope? That were to doe the innocent sonne egregious and notorious wrong. Shall the sonne himselfe? That were a more iniurious part in the sonne against his father: For if the sonne bee touched with any feare of God, or mooued with any reuerence towards his father, hee will diligently and seriously take heed, that hee put not his father by the Kingdome by whose meanes he himselfe is borne to a Kingdome. Nor will hee tread in the steps of *Henry* the V. Emperour, who by the Popes instigation, expelled and chased his aaged father out of the Imperiall dignitie. Much lesse wil he hearken to the voice and aduise of Doctor *Suares*<sup>1</sup> the *Iesuite*; who, in his booke written against my selfe, a booke applauded and approoued of many Doctours, after hee hath like a Doctour of the chaire, pronounced, *That a King deposed by the Pope, cannot bee lawfully expelled or killed, but onely by such as the Pope hath charged with such execution:* falleth to adde a little after: *If the Pope shall declare a King to bee an heretike, and fallen from the Kingdome, without making further declaration touching execution;* that is to say, without giuing expresse charge vnto any to make away the King: *then the lawfull successour being a Catholike, hath power to doe the feate; and if he shall refuse, or if there shall be none such, then it appertaineth to the comminalltie or body of the Kingdome.* A most detestable sentence: For in hereditarie Kingdomes, who is the Kings lawfull successour, but his sonne? The sonne then by this doctrine, shall imbrew his hands in his owne fathers blood, so soone as he shall be deposed by the Pope. A matter so much the neerer and more deeply to bee apprehended, because the said most outrageous booke flyeth like a furious mastiffe directly at my throat, and withall

<sup>1</sup> Lib. 6. cap. 4. Si Papa Regem deponat, ab illis tantum poterit, expelli vel interfici, quibus ipse id commiserit.

instilleth such precepts into the tender disposition of my sonne, as if hereafter hee shall become a Romane Catholike, so soone as the Pope shall giue me the lift out of my Throne, shall bind him forthwith to make effusion of his owne fathers blood. Such is the religion of these reuerend Fathers, the pillars of the Pontificiall Monarchie: In comparison of whose religion and holinesse, all the impietie that euer was among the Infidels, and all the barbarous crueltie that euer was among the Canibals, may passe hencefoorth in the Christian world for pure clemencie and humanitie. These things ought his Lordship to haue pondered, rather then to babble of habitudes and politike characters, which to the common people are like the Bergamasque or the wilde-Irish forme of speach, and passe their vnderstanding.

All these things are nothing in a maner, if we compare them with the last clause, which is the closer, and as it were the vpsshot of his Lordships discourse: For therein he laboureth to perswade concerning this Article, framed to bridle the Popes tyrannicall power ouer Kings, if it should receiue gracious entertainment, and generall approbation; *That it would breed great danger, and worke effects of pernicious consequence vnto Kings.* The reason: *because it would prooue an introduction to schisme; and schisme would stirre vp ciuill warres, contempt of Kings, distempered inclinations and motions to intrap their life; and which is worst of all, the fierce wrath of God, inflicting all sorts of calamities.* An admirable paradoxe, and able to strike men stone-blind: that his Holinesse must haue power to depose Kings, for the better security and safegard of their life; that when their Crownes are made subiect vnto anothers will and pleasure, then they are come to the highest altitude and eleuation of honour; that for the onely warrant of their life, their supreme and absolute greatnesse must be depressed; that for the longer keeping of their Crownes, another must plucke the Crowne from their heads. As if it should be said, Would they not be stript naked by another? the best way is, for themselues to vntrusse, for themselues to put off all, and to goe naked of their owne accord. Wil they keepe their Souereigntie in safetie for euer? The best way is to let another haue their Soueraigne authoritie and supreme Estate in his power. But I haue bene euer of this mind, that when my goods are at no mans command or disposing but mine own, then they are trewly and certainly mine owne. It may be this error is growen vpon me and other Princes for lacke of braines: whereupon it may be feared, or at least coniectured, the Pope meanes to shaue our crownes, and thrust vs into some cloister, there to hold ranke in the brotherhood of good King *Childeric*. Forasmuch then as my dull capacitie doeth not serue mee to reach or comprehend the pith of this admirable reason, I haue thought good to seeke and to vse the instruction of old and learned experience, which teacheth no such matter: by name, that ciuill warres and fearefull perturbations of State in any nation of the world, haue at any time growen from this faithful credulity of subiects, that Popes in right haue no power to wrest and lift Kings out of their dignities and possessions. On the other side, by establishing



the contrary maximes, to yoke and hamper the people with Pontificall tyrannie, what rebellious troubles and stirres, what extreme desolations hath *England* bene forced to feare and feele, in the Reigne of my Predecessours *Henrie II. Iohn* and *Henrie III*? These be the maximes and principles, which vnder the Emperour *Henrie IV.* and *Frederic* the I. made all *Europe* flowe with channels and streames of blood, like a riuier with water, while the Saracens by their incursions and victories ouerflowed, and in a manner drowned the honour of the Christian name in the East. These be the maximes and principles, which made way for the warres of the last League into *France*; by which the very bowels of that most famous and flourishing Kingdome were set on such a combustion, that *France* her selfe was brought within two fingers breadth of bondage to another Nation, and the death of her two last Kings most villenously and traiterously accomplished. The L. Cardinall then giuing these diabolicall maximes for meanes to secure the life and Estate of Kings, speaketh as if he would giue men counsell to dry themselues in the riuier, when they come as wet as a water spaniell out of a pond; or to warme themselues by the light of the Moone, when they are stark-naked, and well neere frozen to death.

#### THE CONCLVSION OF THE LORD OF PERRON EXAMINED.

AFTER the L. Cardinal hath stoutly shewed the strength of his arme, and the deepe skill of his head in fortification; at last he leaues his loftie scaffolds, and falls to worke neerer the ground, with more easie tooles of humble praier and gentle exhortations. The summe of the whole is this: *He adiures his auditors neuer to forge remedies, neuer so to provide for the temporall safetie of Kings, as thereby to worke their finall falling from eternall saluation: neuer to make any rent or rupture in the vnitie of the Church, in this corrupt aage infected with pestilent Heresies, which already hauing made so great a breach in the walles of France, will no doubt double their strength by the dissentions, diuisions, and schismes of Catholikes. If this infectious plague shall still increase and grow to a carbuncle, it can by no meanes poyson Religion, without bringing Kings to their winding sheetes and wofull hearse. The first rowlers of that stone of offence, aimed at no other marke, then to make an ignominious and lamentable rent in the Church. Hee thinks the Deputies of the third Estate, had neither head nor first hand in contriuing this Article; but holds it rather a new deuice and subtile inuention, suggested by persons, which beeing already cut off by their owne practises from the body of the Romane Church, haue likewise inueigled and insnared some that beare the name of Catholiks, with some other Ecclesiastics; and vnder a faire pretence and goodly cloake, by name, the seruice of the King, haue surprised and played vpon their simplicitie. These men (as the Cardinall saith) doe imitate Iulian the Apostata, who to bring the Christians to idolatrous worship of false gods, commaunded the idols of Iupiter and Venus to be intermingled with Imperiall statues, and other Images of Christian Emperours, &c.*

Then after certaine Rhetoricall flourishes, his Lordship fals to prosecute his former course, and cries out of this Article; *A monster hauing the tayle of a fish, as if it came cutting the narrow Seas out of England: For in full effect it is downright the English oath; sauing that indeed the oath of England runneth in a more mild forme, and a more moderate straine.* And here he suddenly takes occasion to make some digression: For out of the way, and cleane from the matter, he entreth into some purpose of *my praise and commendation*: He courteously forsooth is pleased to grace mee *with knowledge of learning, and with ciuill vertues*: He seemeth chiefly to reioyce in his owne behalfe, and to giue me thanks, *that I haue done him the honour to enter the lists of Theologicall dispute against his Lordship.* Howbeit he twitches and carpes at me withall, as at one that soweth seeds of dissension and schisme amongst Romane Catholiks: And yet he would seeme to qualifie the matter, and to make all whole againe, by saying, *That in so doing I am perswaded I doe no more then my duetie requires.* But now (as his Lordship followes the point) *it standeth neither with godlinesse, nor with equity, nor with reason, that Acts made, that Statutes, Decrees, and Ordinances ratified for the State and Gouvernement of England, should be thrust for binding Laws vpon the Kingdome of France: nor that Catholikes, and much lesse that Ecclesiastics, to the ende they may liue in safetie, and freely enioy their priuiledges or immunities in France, should be forced to beleue, and by oath to seale the same points, which English Catholikes to the end they may purchase libertie onely to breath, nay sorrowfully to sigh rather, are constrained to allow and to aduow besides.* And whereas in England there is no small number of Catholikes, *that lacke not constant and resolute minds to endure all sorts of punishment, rather then to take that oath of allegiance; will there not be found an other manner of number in France, armed with no lesse constancie and Christian resolution?* There will, most honourable Auditors, there will without all doubt: and we all that are of *Episcopall dignity will sooner suffer Martyrdome in the cause.* Then out of the super-abundance and ouer-weight of his Lordships goodnes, he closely coucheth and conuayeth a certaine distastfull opposition betweene mee and his King; with praises and thanks to God, that *his King is not delighted, & takes no pleasure to make Martyrs.*

All this Artificiall and swelling discourse like vnto puffe-past, if it be viewed at a neere distance, will be found like a bladder full of wind, without any soliditie of substantiall matter. For the Deputies of the third Estate were neuer so voide of understanding, to beleue that by prouiding for the life and safety of their King, they should thrust him headlong into eternall damnation. Their braines were neuer so much blasted, so farre benumbed, to dreame the soule of their King cannot mount vp to heauen, except he be dismounted from his Princely Throne vpon earth, whensoever the Pope shall hold vp his finger.

And whereas he is bold to pronounce, that heretikes of *France* doe make their benefit and aduantage of this diuision; that speech is grounded vpon this proposition; That professors of the Christian Religion reformed (which is to say, purged



and cleansed of all Popish dregs) are heretikes in fact, and ought so to bee reputed in right: Which proposition his Lordship will neuer soundly and sufficiently make good, before his Holinesse hath compiled an other Gospell, or hath forged an other Bible at his Pontificiall anuile. The L. Cardinall vndertooke to reade mee a lecture vpon that argument; but euer since hath played Mum-budget, and hath put himselfe to silence, like one at a Non-plus in his enterprise. There be three yeeres already gone and past, since his Lordship beganne to shape some answere to a certaine writing dispatched by mee in few daies: With forming and reforming, with filing and polishing, with labouring and licking his answere ouer and ouer againe, with reiterated extractions and calcinations, it may be coniectured that all his Lordships labour and cost is long since evaporated and vanished in the aire. Howbeit, as well the friendly conference of a King, (for I will not call it a contention) as also the dignitie, excellencie, and importance of the matter, long since deserued, and as long since required the publishing of some or other answere. His Lordships long silence will neuer be imputed to lacke of capacity, wherewith who knoweth not how abundantly he is furnished; but rather to well aduised agnition of his owne working and building vpon a weake foundation.

But let vs returne vnto these heretikes, that make so great gaine by the disagreement of Catholikes. It is no part of their dutie to aime at sowing of dissensions; but rather to intend and attend their faithfull performance of seruice to their King. If some be pleased, and others offended, when so good and loyall duties are sincerely discharged; it is for all good subiects to grieve and to be sory, that when they speake for the safetie of their King & honour of the trewth, it is their hard hap to leaue any at all vnsatisfied. But suppose the said heretiks were the Authors of this article preferred by the third Estate: What need they to conceale their names in that regard? What need they to disclaime the credit of such a worthy act? Would it not redound to their perpetuall honour, to be the onely subiects that kept watch ouer the Kings life and Crowne, that stood centinell, and walked the rounds for the preseruacion of his Princely diademe, when all other had no more touch, no more feeling thereof then so many stones? And what neede the Deputies for the third Estate, to receiue instructions from forraine Kingdomes, concerning a cause of that nature; when there was no want of domesticall examples, and the French histories were plentiful in that argument? What neede they to gape for this reformed doctrine, to come swimming with a fishes tayle out of an Island to the mayne continent, when they had before their eyes the murders of two Kings, with diuerse ciuill warres, and many Arrests of Court, all tending to insinuate and suggest the introduction of the same remedy? Suggestions are needlesse from abroad, when the mischief is felt at home. It seemes to me that his Lordship in smoothing and tickling the Deputies for the third Estate, doth no lesse then wring and wrong their great sufficiencie with contumely and outrageous abuse; as if they were not furnished with sufficient foresight, and with loyall affection towards their King, for the preseruacion

of his life and honour, if the remedie were not beaten into their heads by those of the Religion, reputed heretikes.

Touching my selfe, ranged by his Lordship in the same ranke with sowers of dissention; I take my God to witnes, and my owne conscience, that I neuer dream'd of any such vnchristian proiect. It hath beene hitherto my ordinary course to follow honest counsells, and to walke in open waies. I neuer wonted my selfe to holes and corners, to crafty shifts, but euermore to plaine and open designs. I neede not hide mine intentions for feare of any mortall man, that puffeth breath of life out of his nostrils. Nor in any sort doe I purpose, to set *Iulian* the Apostata before mine eyes, as a patterne for me to follow. *Iulian* of a Christian became a Pagan: I professe the same faith of Christ still, which I haue euer professed: *Iulian* went about his designs with crafty conueiances; I neuer with any of his captious and cunning sleights: *Iulian* forced his subiects to infidelitie against Iesus Christ; I labour to induce my subiects vnto such tearmes of loyalty towards my selfe, as Iesus Christ hath prescribed and taught in his word. But how farre I differ from *Iulian*, it is to be seene more at large in my answere to *Bellarmines* Epistles written to *Blackwell*; from whence the Lord Cardinall borrowing this example, it might well haue beseemed his Lordship to borrow likewise my answere from the same place.

Now as it mooues me nothing at all, to be drawne by his Lordship into suspitions of this nature and qualitie: so by the prayses, that he rockes me withall, I will neuer be lulled asleepe. To commend a man for his knowledge, and withall to take from him the feare of God, is to admire a souldier for his goodly head of haire or his curled locks, and withall to call him base coward, faint-hearted and fresh-water souldier. Knowledge, wit, and learning in an hereticke, are of none other vse and seruice, but only to make him the more culpable, & consequently obnoxious to the more grievous punishments. All vertues turne to vices, when they become the seruants of impietie. The hand-maids which the Soueraigne Lady Wisdome calleth to be of her traine in the 9. Prouerb. are morall vertues, and humane sciences; which then become pernicious, when they run away from their Soueraigne Lady-Mistris, and put ouer themselues in seruice to the deuill. What difference is betweene two men, both alike wanting the knowledge of God; the one furnished with arts and ciuill vertues, the other brutishly barbarous and of a deformed life, or of prophane maners? What is the difference betweene these two? I make this the onely difference: the first goeth to hell with a better grace, and falleth into perdition with more facilitie, then the second: But hee becometh exceedingly wicked, euen threefold and fourefold abominable, if he wast his treasure and stocke of ciuill vertues in persecuting the Church of CHRIST: and if that may be layd in his dish which was cast in *Cæsars* teeth, that in plaine sobernes and well-setled temper, he attempts the ruine of the Common-wealth, which from a drunken sot might receiue perhaps a more easie fall. In briefe, I scorne all garlands of praises, which are not euer greene; but being dry and withered for



want of sap and radicall moysture, doe flagge about barbarous Princes browes. I defie and renounce those praises, which fit mee no more then they fit a *Mahumetane* King of *Marocco*. I contest against all praises which grace me with petie accessories, but rob me of the principall, that one thing necessary; namely, the feare and knowledge of my GOD: vnto whose Maiestie alone, I haue deuoted my Scepter, my sword, my penne, my whole industrie, my whole selfe, with all that is mine in whole and in part. I doe it, I doe it in all humble acknowledgement of his vnspeakable mercie and fauour, who hath vouchsafed to deliuer me from the erroneous way of this aage, to deliuer my Kingdome from the Popes tyrannicall yoke, vnder which it hath lyen in times past most grievously oppressed: My Kingdom where God is now purely serued, and called vpon in a tongue which all the vulgar understand: My Kingdome, where the people may now reade the Scriptures without any special priuiledge from the Apostolike See, and with no lesse libertie then the people of Ephesus, of Rome, and of Corinth did reade the holy Epistles, written to their Churches by *S. Paul*: My Kingdome, where the people now pay no longer any tribute by the poll for Papall indulgences, as they did about an hundred yeeres past, and are no longer compelled to the mart, for pardons beyond the Seas and mountaines, but haue them now freely offered from God, by the doctrine of the Gospel preached at home within their owne seuerall parishes and iurisdictions.<sup>1</sup> If the Churches of my Kingdome, in the L. Cardinals accompt, bee miserable for these causes and the like; let him dreame on, and talke his pleasure: for my part I will euer auow, that more worth is our misery then all his felicitie. For the rest, it shal by Gods grace be my daily endeaour and serious care, to passe my daies in shaping to my selfe such a course of life, that without shamefull calumniating of my person, it shall not rest in the tip of any tongue, to touch my life with iust reprehension or blame. Nor am I so priuie to mine owne guiltinesse, as to thinke my state so desperate, so deplorable, as Popes haue made their owne: For some of them haue bene so open-hearted and so tongue-free, to pronounce that Popes themselues, the key-bearers of Heauen and hell, cannot be saued. Two Popes, reckoned among the best of the whole bunch or packe, namely, *Adrian* the IV. and *Marcelline* <sup>2</sup> the II. haue both sung one and the same note; that in their vnderstanding they could not conceiue any reason why, or any meanes how those that sway the Popedome can be partakers of saluation; But for my particular, grounding my faith vpon the promises of God contained in the Gospel, I doe confidently and assuredly beleeeue, that repenting me of my sinnes, and reposing my whole trust in the merits of IESVS CHRIST, I shall obtaine forgiuenesse of my sinnes through his Name. Nor doe I feare, that I am now, or shall be hereafter cast out of the Churches lap and bosome; that I now haue or hereafter shall haue no right to the Church as a

<sup>1</sup> Aliquot annis post, Apostolicæ sedis nuncius in Angliam ad colligendum S. Petri vectigal missus. Onuphri. in vit. Paul. 4. Vide & Math. Paris.

<sup>2</sup> Onup. de vitis Pontif. in vit. Mar. 2. doeth testifie, that Marcel. also after Adrian the 4. vsed these words: Non video quo modo qui locum hunc altiss. tenent, saluari possint.

putrified member thereof, so long as I do or shall cleave to CHRIST IESVS, the Head of the Church: the appellation and name whereof, serueth in this corrupt aage, as a cloake to couer a thousand new inuentions; and now no longer signifies the assembly of the faithfull or such as beleue in IESVS CHRIST according to his word, but a certaine glorious ostentation and temporall Monarchie, whereof the Pope forsooth is the supream head.

But if the L. Cardinall by assured and certaine knowledge (as perhaps he may by common fame) did vnderstand the horrible conspiracies that haue bin plotted and contriued, not against my person and life alone, but also against my whole stocke: if he rightly knew & were inly perswaded, of how many fowle periuries & wicked treasons, diuers Ecclesiastical persons haue bene lawfully conuicted: in stead of charging me with false imputations, that *I suffer not my Catholiks to fetch a sigh, or to draw their breath; and that I thrust my Catholikes vpon the sharpe edge of punishment in euery kinde;* he would, and might well, rather wonder, how I my selfe, after so many dangers run, after so many proditorious snares escaped, do yet fetch my owne breath, and yet practise Princely clemencie towards the said Catholiks, notorious transgressors of diuine & humane lawes. If the French king in the heart of his kingdom, should nourish and foster such a nest of stinging hornets and busie wasps, I meane such a pack of subiects, denying his absolute Soueraignty, as many Romane Catholiks of my Kingdome do mine: It may wel be doubted, whether the L. Cardinal would aduise his king stil to feather the nest of the said Catholiks, stil to keep them warme, stil to beare them with an easie and gentle hand: It may wel be doubted, whether his Lordship would extol their constancie, that would haue the courage to sheath vp their swords in his Kings bowels, or blow vp his King with gun-powder, into the neather station of the lowest region: It may wel be doubted, whether he would indure that Orator, who (like as himselfe hath done) should stir vp others to suffer Martyrdome after such examples, and to imitate parricides & traitors in their constancy. The scope then of the L. Cardinall, in striking the sweet strings, and sounding the pleasant notes of praises, which faine he would fil mine eares withal; is only by his excellent skil in the musick of Oratory, to bewitch the harts of my subiects, to infatuate their minds, to settle them in a resolution to depriue me of my life. The reason: Because the plotters and practisers against my life, are honoured and rewarded with a glorious name of Martyrs: their constancie (what els?) is admired, when they suffer death for treason. Whereas hitherto during the time of my whole raigne to this day, (I speake it in the word of a King, and trewth it selfe shall make good the Kings word) no man hath lost his life, no man hath indured the Racke, no man hath suffered corporall punishment in other kinds, meerely or simply, or in any degree of respect, for his conscience in matter of religion; but for wicked conspiring against my life, or Estate, or Royall dignitie; or els for some notorious crime, or some obstinate and wilfull disobedience: Of which traiterous and viperous brood, I commanded one to be hanged by the



necke of late in *Scotland*; a Iesuite of intolerable impudencie, who at his arraignment and publike triall, stiffely maintained, that I haue robbed the Pope of his right, and haue no manner of right in the possession of my Kingdome. His Lordship therefore in offering himselfe to Martyrdome, after the rare example of Catholiks, as he saith, suffering all sort of punishment in my Kingdome, doeth plainly professe himselfe a follower of traytors and parricides. These be the Worthies, these the heroicall spirits, these the honourable Captaines and Coronels, whose vertuous parts neuer sufficiently magnified and prayed, his Lordshippe propoundeth for imitation to the *French* Bishops. O the name of Martyrs, in olde times a sacred name! how is it now derided and scoffed? how is it in these daies filthily prophaned? O you the whole quire and holy company of Apostles, who haue sealed the trewth with your dearest blood! how much are you disparaged? how vnfitly are you paragoned and matched, when traytors, bloody butchers, and King-killers are made your assistants, and of the same *Quorum*; or to speake in milder tearmes, when you are coupled with Martyrs that suffer for maintaining the Temporall rites of the Popes Empire? with Bishops that offer themselues to a Problematicall Martyrdome, for a point decided neither by the authorities of your Spirit-inspired pens, not by the auncient and venerable testimonie of the Primitiue Church? for a point which they dare not vndertake to teach, otherwise then by a doubtfull, cold, fearefull way of discourse, and altogether without resolution. In good sooth, I take the Cardinall for a personage of a quicker spirit and clearer sight, (let his Lordship hold mee excused) then to perswade my selfe, that in these matters his tongue and his heart, his pen and his inward iudgement, haue any concord or correspondence one with another: For beeing very much against his minde (as hee doeth confesse) thrust into the office of an Aduocate to pleade this cause; he suffered himselfe to bee carried (after his engagement) with some heat, to vtter some things against his conscience, murmuring and grumbling the contrary within; and to affirme some other things with confidence, whereof hee had not beene otherwise informed, then onely by vaine and lying report. Of which ranke is that bold assertion of his Lordship; That many Catholiks in England, rather then they would subscribe to the oath of allegiance in the forme thereof, haue vndergone all sorts of punishment: For in *England* (as we haue trewly giuen the whole Christian world to vnderstand in our Preface to the Apologie) there is but one forme or kind of punishment ordained for all sorts of traytors.

Hath not his Lordship now graced me with goodly testimonialls of prayse and commendation? Am I not by his prayses proclaimed a Tyrant, as it were inebriated with blood of the Saints, and a famous Enginer of torments for my Catholikes? To this exhortation for the suffering of Martyrdome, in imitation of my English traytors and parricides, if wee shall adde; how craftily and subtilly hee makes the Kings of *England* to holde of the Pope by fealty, and their kingdome in bondage to the Pope by Temporall recognizance, it shall easily appeare, that his

holy-water of prayes wherewith I am so reuerently besprinkled, is a composition extracted out of a dram of hony and a pound of gall, first steeped in a strong decoction of bitter wormewood, or of the wild gourd called Coloquintida: For after he hath in the beginning of his Oration,<sup>1</sup> spoken of Kings that owe fealtie to the Pope and are not Soueraignes in the highest degree of Temporall supremacie within their Kingdomes; to explaine his mind and meaning the better, he marshals the Kings of *England* a little after in the same ranke. His words be these; *When King Iohn of England, not yet bound in any temporall recognizance to the Pope, had expelled his Bishops, &c.* His Lordship means, that King *Iohn* became so bound to the Pope not long after. And what may this meaning be, but in plaine tearmes and broad speach, to call me vsurper and vnlawfull King? For the feudatarie, or he that holdeth a Mannor by fealty, when he doeth not his homage, with all suit and seruice that he owes to the Lord *Paramount*, doeth fall from the propertie of his fee. This reproach of the L. Cardinals, is seconded with an other of *Bellarmines* his brother Cardinall; That *Ireland* was giuen to the Kings of *England* by the Pope. The best is that his most reuerend Lordship hath not shewed, who it was that gaue *Ireland* to the Pope.

And touching *Iohn* King of *England*, thus in briefe stands the whole matter. Betweene *Henry* 2. and the Pope had passed sundry bickerments, about collating of Ecclesiasticall dignities. *Iohn* the sonne, after his fathers death, reneweth, vndertaketh, and pursueth the same quarrell: Driueth certaine *English* Bishops out of the Kingdome, for defending the Popes insolent vsurpation vpon his Royall prerogatiue, and Regall rights; Sheweth such Princely courage and resolution in those times, when all that stood and suffered for the Popes Temporall pretensions against Kings, were enrowled Martyrs or Confessors. The Pope takes the matter in fowle scorne, and great indignation; shuts the King by his excommunicatory Bulls out of the Church; stirres vp his Barons, for other causes the Kings heauy friends, to rise in armes; giues the Kingdome of *England* (like a masterlesse man turned ouer to a new master) to *Philippus Augustus* King of *France*; bindes *Philip* to make a conquest of *England* by the sword, or else no bargaine, or else no gift; promises *Philip*, in recompence of his trauell and Royall expences in that conquest, full absolution and a generall pardon at large for all his sinnes: to bee short, cuts King *Iohn* out so much worke, and makes him keep so many yrons in the fire for his worke, that he had none other way, none other meanes to pacifie the Popes high displeasure, to correct or qualifie the malignitie of the Popes cholericke humour, by whom he was then so entangled in the Popes toyles, but by yeelding himselfe to become the Popes vassal, and his Kingdome feudatary, or to hold by fealty of the Papall See. By this meanes his Crowne is made tributary, all his people liable to payment of taxes by the poll for a certaine yeerely tribute, and he is blessed with a pardon for all his sinnes. Whether King *Iohn* was mooued to doe this dishonourable act vpon any deuotion, or inflamed

<sup>1</sup> Page. 10.



with any zeale of Religion; or inforced by the vnresistable weapons of necessitie, who can be so blind, that he doeth not well see and clearely perceiue? For to purchase his owne freedome from this bondage to the Pope; what could he bee vnwilling to doe, that was willing to bring his Kingdome vnder the yoake of *Amirales Marmelino* a Mahumetan Prince, then King of *Granado* and *Barbaria*? The Pope after that, sent a Legat into *England*: The King now the Popes vassall, and holding his Crowne of the Pope, like a man that holds his land of another by Knights seruice, or by homage and fealtie, doeth faire homage for his Crowne to the Popes Legat, and layeth downe at his feet a great masse of the purest gold in coyne. The reuerend Legat, in token of his Masters Soueraigntie, with more then vsuall pride falls to kicking and spurning the treasure, no doubt with a paire of most holy feet: Not onely so; but likewise at solemne feasts is easily entreated to take the Kings chaire of Estate. Heere I would faine know the Lord Cardinals opinion; whether these actions of the Pope were iust or vniust, lawfull or vnlawfull, according to right or against all right and reason. If he will say against right; it is then cleare, that against right his Lordship hath made way to this example: if according to right, let him then make it knowne, from whence or from whom this power was deriued and conueyed to the Pope, whereby hee makes himselfe Souereigne Lord of Temporalities in that Kingdome, where neither he nor any of his prececessours euer pretended any right, or layd any claime to Temporall matters before. Are such pranks to be played by the Pontificiall Bishop? Is this an act of Holinesse, to set a Kingdome on fire by the flaming brands of sedition? to dismember and quarter a Kingdome with intestine warres; onely to this end, that a King once reduced to the lowest degree of miserie, might be lifted by his Holinesse out of his Royall prerogatiue, the very soule and life of his Royall Estate? When began this Papall power? In what aage began the Pope to practise this power? What! haue the ancient Canons, (for the Scripture in this question beareth no pawme) haue the Canons of the ancient Church imposed any such satisfaction vpon a sinner, that of a Souereigne and free King, he should become vassall to his ghostly Father; that he should make himselfe together with all his people and subiects tributaries to a Bishop, that shall rifle a whole Nation of their coine, that shall receiue homage of a King, and make a King his vassall? What! Shall not a sinner be quitted of his faults, except his Pastor turne robber, and one that goeth about to get a booty? except hee make his Pastour a Feoffee in his whole Estate, and suffer himselfe vnder a shadow of penance to freeze naked, to be turned out of all his goods and possessions of inheritance? But be it granted, admit his Holinesse robs one Prince of his rights and reuenewes, to conferre the same vpon another: were it not an high degree of tyrannie to finger another mans estate, and to giue that away to a third, which the second hath no right, no lawfull authoritie to giue? Well, if the Pope then shall become his owne caruer in the rights of another; if he shall make his owne coffers to swell with anothers reuenewes, if he shall decke and aray his owne backe in the spoiles of a

sinner, with whom in absolution he maketh peace, and taketh truce; what can this be else, but running into further degrees of wickednesse and mischief? what can this be else, but heaping of robbery vpon fraud, and impietie vpon robbery? For by such deceitfull, craftie, and cunning practises, the nature of the Pontificiall See, meerely spirituall, is changed into the Kings-bench-Court, meerely temporall: the Bishops chaire is changed into a Monarchs Throne. And not onely so; but besides, the sinners repentance is changed into a snare or pit-fall of cousening deceit; and S. *Peters* net is changed into a casting-net or a flew, to fish for all the wealth of most flourishing Kingdomes. Moreouer, the King (a hard case) is driuen by such wiles and subtilities, to worke impossibilities, to acte more then is lawfull or within the compasse of his power to practise: For the King neither may in right, nor can by power trans-nature his Crowne, impaire the Maiestie of his Kingdome, or leaue his Royal dignitie lesse free to his heire apparant, or next successor, then he receiued the same of his predecessour: Much lesse, by any dishonourable capitulations, by any vnworthy contracts, degrade his posteritie, bring his people vnder the grieuous burden of tributes and taxes to a forreine Prince: Least of all, make them tributary to a Priest; vnto whom it on way apperteineth to haue any hand in the ciuill affaires of Kings, or to distaine, and vnhallo w their Crownes. And therefore when the Pope dispatched his *Nuntio* to *Philippus Augustus*, requesting the King to auert *Lewis* his sonne from laying any claime to the Kingdome of *England*; *Philip* answered the Legat (as we haue it in *Matth. Paris*;) *No King, no Prince can alienate or giue away his Kingdom, but by consent of his Barons, bound by Knights seruice to defend the said Kingdome: and in case the Pope shall stand for the contrary error, his Holiness shall giue to Kingdomes a most pernicious example.* By the same Author it is testified, that King *Iohn* became odious to his subiects, for such dishonourable and vnworthy intralling of his Crowne, and Kingdome. Therefore the Popes right pretended to the Crowne of *England*, which is nothing else but a ridiculous vsurpation, hath long agoe vanished into smoake, and required not so much as the drawing of one sword to snatch and pull it by violence out of his hands: For the Popes power lying altogether in a certaine wilde and wandring conceit or opinion of men, and being onely an imaginary castle in the ayre, built by pride, and vnderpropped by superstition, is very speedily dispersed vpon the first rising and appearing of the trewth in her glorious brightnesse. There is none so very a dolt or block-head to deny, that in case this right of the Pope ouer *England*, is grounded vpon Gods word, then his Holinesse may challenge the like right ouer all other Kingdomes: because all other Kingdomes, Crownes, and Scepters are subiect alike to Gods word: For what priuiledge, what charter, what euidence can *France* fetch out of the Rolles, or any other treasure of her monuments or records, to shew that she oweth lesse subiection to God then *England*? Or was this yoke of bondage then brought vpon the English Nation; was it a prerogatiue, whereby they might more easily come to the libertie of the sonnes of God? Of were the people of



*England* perswaded, that for all their substance, wealth, and life bestowed on the Pope, his Holinesse by way of exchange returned them better weight and measure of spirituall graces? It is ridiculous, onely to conceiue these toyes in thought; and yet with such ridiculous, with such toyes in conceit, his Lordship feeds and entertaines his auditors.

From this point hee falleth to another bowt and fling at his heretikes, with whom he played no faire play before: <sup>1</sup> *There is not one Synode of ministers* (as he saith) *which would willingly subscribe to this Article, whereunto wee should bee bound to sweare.* But herein his Lordship shooteth farre from the marke. This Article is approoued and preached by the Ministers of my Kingdome: It is likewise preached by those of *France*, and if need bee (I assure my selfe) will bee signed by all the Ministers of the French Church.

The L. Cardinall proceedeth, (for hee meaneth not so soone to giue ouer these heretikes:) *All their Consistories beleue it as their Creed; that if Catholike Princes at any time shall offer force vnto their conscience, then they are dispensed withall for their oath of alleagiance. Hence are these modifications and restrictions, tossed so much in their mouthes; Provided the King force vs not in our conscience. Hence are these exceptions in the profession of their faith; Provided the Soueraigne power and authoritie of God, bee not in any sort violated or infringed.* In am not able to conceiue what engine can bee framed of these materialls, for the bearing of Kings out of their eminent seates, by any lawfull authoritie or power in the Pope: For say, those of the Religion should be tainted with some like errour; how can that be any shelter of excuse for those of the Romish Church, to vndermine or to digge vp the Thrones of their Kings? But in this allegation of the L. Cardinall, there is nothing at all, which doeth not iumpe iust and accord to a haire with the Article of the third Estate, and with obedience due to the King: For they doe not professe, that in case the King shall commaund them to doe any act contrarie to their conscience, they would flie at his throat, would make any attempt against his life, would refuse to pay their taxations, or to defend him in the warres: They make no profession of deposing the King, or discharging the people from the oath of alleagiance tendred to the King: which is the very point or issue of the matter in controuersie, and the maine mischiefe, against which the third Estate hath bin most worthily carefull to prouide a wholesome remedie by this Article. There is a world of difference betweene the termes of disobedience, and of deposition. It is one thing to disobey the Kings commaund in matters prohibited by diuine lawes, and yet in all other matters to performe full subiection vnto the King. It is another thing of a farre higher degree or straine of disloyaltie, to bare the King of his Royall robes, throne, and scepter, and when he is thus farre disgraced, to degrade him and to put him from his degree and place of a King. If the holy Father should charge the L. Cardinal to doe some act repugnant in his owne knowledge to the Law of God, I will religiously, and according to the rule of charitie pre-

sume, that his Lordship in this case would stand out against his Holinesse, and notwithstanding would still acknowledge him to be Pope.

His Lordship yet prosecutes and followes his former purpose: *Hence are those armes which they haue oftentimes borne against Kings, when Kings practised to take away the libertie of their conscience and Religion. Hence are those turbulent Com-motions and seditions by them raised, as well in the Low-countrys against the King of Spaine, as in Swethland against the Catholike King of Polonia.* Besides, he casteth *Iunius Brutus, Buchananus, Barclaius, and Gerson* in our teeth. To what end all this? I see not how it can bee auailable to authorize the deposing of Kings, especially the Popes power to depose. And yet his Lordship here doth outface (by his leaue) and beare downe the trewth: For I could neuer yet learne by any good and trew intelligence, that in France those of the Religion tooke armes at any time against their King: In the first ciuill warres they stood onely vpon their guard: they stood onely to their lawfull wards and locks of defence: they armed not, nor tooke the field before they were pursued with fire and sword, burnt vp and slaughtred. Besides, Religion was neither the root nor the rynde of those intestine troubles. The trew ground of the quarrell was this: During the minority of King *Francis II.* the Protestants of France were a refuge and succour to the Princes of the blood, when they were kept from the Kings presence, and by the ouer powring power of their enemies, were no better then plaine driuen and chased from the Court. I meane, the Grand-father of the King now raigning, and the Grand-father of the Prince of *Conde*, when they had no place of safe retreat. In regard of which worthy and honourable seruice, it may seeme the French King hath reason to haue the Protestants in his gracious remembrance. With other commotion or insurrection, the Protestants are not iustly to be charged. But on the contrary, certaine it is that King *Henry III.* rayased and sent forth seuerall armies against the Protestants, to ruine and roote them out of the Kingdome: howbeit, so soone as they perceiued the said King was brought into dangerous tearms, they ranne with great speed and speciall fidelitie to the Kings rescue and succour, in the present danger. Certaine it is, that by their good seruice the said King was deliuered, from a most extreame and imminent perill of his life in the city of Tours. Certaine it is, they neuer abandoned that *Henry 3.* nor his next successor *Henry 4.* in all the heat of reuolts and rebellions, raised in the greatest part of the Kingdome by the Pope, and the more part of the Clergie; but stood to the said Kings in all their battels, to beare vp the Crowne then tottering and ready to fall. Certaine it is, that euen the heads and principalls of those by whom the late King deceased was pursued with all extremities, at this day doe enioy the fruit of all the good seruices done to the King by the said Protestants: And they are now disgraced, kept vnder, exposed to publike hatred. What, for kindling coales of questions and controuersies about Religion? Forsooth, not so; but because if they might haue equall and indifferent dealing, if credit might be giuen to their faithfull aduertisements, the Crowne of their Kings should bee no longer



pinned to the Popes flie-flap; in France there should bee no French exempted from subiection to the French King; causes of benefices or of matrimonie, should bee no longer citable and summonable to the Romish Court; and the Kingdome should bee no longer tributarie vnder the colour of annats, the first fruits of Benefices after the remooue or death of the Incumbent, and other like impositions.

But why doe I speake so much in the behalfe of the French Protestants? The Lord Cardinall himselfe quittes them of this blame, when he telleth vs this doctrine for the deposing of Kings by the Popes mace or verge, had credit and authoritie through all France, vntill *Caluins* time. Doth not his Lordship vnderhand confesse by these words, that Kings had beene alwaies before *Caluins* time, the more dishonoured, and the worse serued? Item, that Protestants, whom his Lordship calls heretikes, by the light of holy Scripture made the world then and euer since to see the right of Kings, oppressed so long before? As for those of the Low Countries, and the subiects of Swethland, I haue little to say of their case, because it is not within ordinary compasse, and indeed serueth nothing to the purpose. These Nations, besides the cause of Religion, doe stand vpon certaine reasons of State, which I will not here take vpon me like a Iudge to determine or to sift.

*Iunius Brutus*, Whom the Lord Cardinall obieteth, is an author vnknowne; and perhaps of purpose patcht vp by some Romanist, with a wyly deceit to draw the reformed Religion into hatred with Christian Princes.

*Buchanan* I reckon and ranke among Poets, not among Diuines, classically or common. If the man hath burst out here and there into some tearmes of excesse, or speach of bad temper; that must be imputed to the violence of his humour, and, heate of his spirit, not in any wise to the rules and conclusions of trew Religion, rightly by him conceiued before.

*Barclaius* alledged by the Cardinall, meddles not with deposing of Kings; but deals with disavowing them for Kings, when they shal renounce the right of Royalty, and of their owne accord giue ouer the Kingdome. Now he that leaues it in the Kings choice, either to hold or to giue ouer his Crowne, leaues it not in the Popes power to take away the Kingdome.

Of *Gerson* obtruded by the Cardinal, we haue spoken sufficiently before, Where it hath beene shewed how *Gerson* is disguised, masked, and peruered by his Lordship. In briefe, I take not vpon me to iustifie and make good all the sayings of particular authors: We glory (and well we may) that our religion affordeth no rules of rebellion; nor any dispensation to subiects for the oath of their allegiance; and that none of our Churches giue entertainment vnto such monstrous and abhominable principles of disloyaltie.

If any of the French,<sup>1</sup> otherwise perswaded in former times, now hauing altered and changed his iudgement, doth contend for the Soueraignty of Kings against Papall vsurpation: He doubtles, for winding himselfe out of the Laborinth

<sup>1</sup> Richerius.

of an error so intricate & pernicious, deserueth great honour and speciall praise: He is worthy to hold a place of dignity aboue the L. Cardinall; who hath quitted and betrayed his former iudgement, which was holy and iust: Their motions are contrary, their markes are opposite: The one reclineth from euill to good, the other declineth from good to euill.

At last his Lordship commeth to the close of his Oration, and bindes vp his whole harangue with a feate wreath of praises, proper to his King. He styles the King the eldest Sonne of the Church, a young shoot of the lilly, which King Salomon in all his Royaltie was not able to match. He leades vs by the hand into the pleasant meadowes of Histories, there to learne vpon the very first sight and view, That so long, so oft as the Kings of France embraced vnion, and kept good tearmes of concord with Popes and the Apostolike See; so long as the spouse of the Church was pastured and fed among the lillies, all sorts of spirituall and temporall graces abundantly showred vpon their Crownes, and vpon their people: On the contrary, when they made any rent or separation from the most holy See; then the lillies were pricked and almost choaked with sharpe thornes; they beganne to droope, to stoope, and to beare their beautifull heads downe to the very ground, vnder the strong flawes and gusts of boystrous windes and tempests.

My answer to this flourishing close and vpshot, shall be no lesse apert then apt. It sauours not of good and faithfull seruice, to smooth and stroake the Kings head with a soft hand of oyled speech, and in the meane time to take away the Crowne from his head, and to defile it with dirt. But let us try the cause by euidence of Historie, yea by the voice and verdict of experience; to see whether the glorious beauty of the French lillies hath beene at any time blasted, and thereupon hath faded, by starting aside, and making separation from the holy See. Vnder the raigne of King *Philip* the Faire, France was blessed with peace and prosperity, notwithstanding some outragious acts done against the Papall See, and contumelious crying quittance by King *Philip* with the Pope. *Lewis* 12. in ranged battell defeated the armies of Pope *Iulius* 2. and his Confederates: proclaimed the said Pope to be fallen from the Popedome: stamped certaine coynes and pieces of gold with a dishonourable mot, euen to Rome it selfe, *Rome is Babylon*: yet so much was *Lewis* loued and honoured of his people, that by a peculiar title he was called, *the Father of the Country*. Greater blessings of God, greater outward peace and plenty, greater inward peace with spirituall and celestiall treasures, were neuer heaped vpon my Great Brittain, then haue beene since my Great Brittain became Great in the greatest and chieftest respect of all; to wit, since my Great Brittain hath shaken off the Popes yoke; since she hath refused to receiue and to entertaine the Popes Legats, employed to collect S. *Peters* tribute or *Peter-pence*; since the Kings of England, my Great Brittain, haue not beene the Popes vassals to doe him homage for their Crowne, and haue no more felt the lashings, the scourgings of base and beggarly Monkes. Of Holland, Zealand, and Friseland, what neede I speake? yet a word and no more. Were they



not a kinde of naked and bare people, of small value, before God lighted the torch of the Gospel, and aduanced it in those Nations ? were they not an ill fedde and scragged people, in comparison of the inestimable wealth and prosperity (both in all military actions and mechanicall trades, in trafficke as merchants, in marting as men of warre, in long nauigation for discouerie) to which they are now rayzed and mounted by the mercifull blessing of God, since the darknes of Poperie hath beene scattered, and the bright Sunne of the Gospel hath shined in those Countreyes ? Behold the Venetian Republique: Hath shee now lesse beautie, lesse glory, lesse peace and prosperitie, since she lately fell to bicker and contend with the Pope ? since she hath wrung out of the Popes hand, the one of his two swords ? since she hath plumed and shaken his Temporall dominion ? On the contrarie; after the French Kings had honoured the Popes, with munificent graunts and gifts of all the cities and territories, lands and possessions, which they now hold in Italy, and the auncient Earledome of *Auignon* in France for an ouerplus; were they not rudely recompenced, and homely handled by their most ingratefull fee-farmers and copy-holders ? Haue not Popes forged a donation of *Constantine*, of purpose to blot out all memory of *Pepins* and *Charlemaignes* donation ? Haue they not vexed and troubled the State ? haue they not whetted the sonnes of *Lewis* the Courteous against their owne Father, whose life was a patterne and example of innocencie ? Haue they not by their infinite exactions, robbed and scoured the Kingdome of all their treasure ? Were not the Kings of France, driuen to stoppe their violent courses by the pragmaticall sanction ? Did they not sundry times interdict the Kingdome, degrade the Kings, sollicite the neighbour-Princes to inuade and lay hold on the Kingdome, and stirre vp the people against the King, whereby a gate was opened to a world of troubles and parricides ? Did not *Rauaillac* render this reason for his monstrous and horrible attempt, That King *Henry* had a designe to warre with God, because he had a designe to take armes against his Holinesse, who is God ? This makes me to wonder, what moued the L. Cardinall to marshall the last ciuill warres and motions in *France*, in the ranke of examples of vnhappy separation from the Pope, when the Pope himselfe was the trumpeter of the same troublesome motions. If the Pope had bene wronged and offended by the French King, or his people, and the Kingdome of *France* had been scourged with pestilence, or famine, or some other calamitie by forraine enemies; it might haue beene taken in probabilitie, as a vengeance of God for some iniurie done vnto his Vicar: But his Holiness being the roote, the ground, the master-workeman and artificer of all these mischiefes; how can it be said, that God punisheth any iniurie done to the Pope ? but rather that his Holinesse doth reuenge his owne quarrell; and which is worst of all, when his Holinesse hath no iust cause of quarrell or offence. Now then; to exhort a Nation (as the L. Cardinall hath done) by the remembrance of former calamities, to curry fauour with the Pope, and to hold a strict vnion with his Holinesse, is no exhortation to beare the Pope any respect of loue, or of reuerence, but

rather a rubbing of memory, and a calling to minde of those grievous calamities, whereof the Pope hath been the only occasion. It is also a threatning and obtruding of the Popes terrible thunder-bolts, which neuer scorched nor parched any skinne, (except crauens and meticulous bodies) and haue brought many great showres of blessings vpon my Kingdome.

As for *France*, if she hath enioyed prosperity in the times of her good agreement with Popes, it is because the Pope seekes the amity of Princes that are in prosperitie, haue the meanes to curbe his pretensions, and to put him to some plunge. Kings are not in prosperity, because the Pope holds amitie with Kings; but his Holinesse vseth all deuises, & seeketh all meanes to haue amitie with Kings, because he sees them flourish & sayle with prosperous winds. The swallow is no cause, but a companion of the spring: the Pope is no worker of a Kingdoms felicity, but a wooer of kings when they sit in felicities lap: he is no founder, but a follower of their good fortunes. On the other side: let a Kingdome fall into some grievous disaster or calamitie, let ciuill warres boile in the bowels of the Kingdome; ciuill wars no lesse dangerous to the State, then fearefull and grievous to the people; who riseth sooner then the Pope, who rusheth sooner into the troubled streames then the Pope, who thrusteth himselfe sooner into the heate of the quarrell then the Pope, who runneth sooner to raise his gaine by the publike wrack then the Pope, and all vnder colour of a heart wounded and bleeding for the saluation of soules? If the lawfull King happen to be foyled, to be oppressed, and thereupon the State by his fall to get a new master by the Popes practise; then the said new master must hold the Kingdome as of the Popes free gift, and rule or guide the sterne of the State at his becke, and by his instruction. If the first and right Lord, in despite of all the Popes fulminations and fire-workes, shall get the honourable day, and vpper hand of his enemies; then the holy Father with a cheerfull and pleasant grace, yea with fatherly gratulation, opens the rich cabinet of his iewells, I meane the treasurie of his indulgences, and falls now to dandle and cocker the King in his fatherly lap, whose throat if he could, he would haue cut not long before.

This pestilent mischiefe hath now a long time taken roote, and is growne to a great head in the Christian world, through the secret, but iust iudgement of God; by whom Christian Kings haue beene smitten with a spirit of dizzinesse: Christian Kings, who for many aages past haue liued in ignorance, without any sound instruction, without any trew sense and right feeling of their owne right and power, whilst vnder a shadow of Religion and false cloake of pietie, their Kingdomes haue beene ouer-burdened, yea ouer-borne with tributes, and their Crownes made to stoope euen to miserable bondage. That God in whose hand the hearts of Kings are poised, and at his pleasure turned as the water-courses; that mighty God alone, in his good time, is able to rouse them out of so deepe a slumber, and to take order (their drowzy fits once ouer and shaken off with heroicall spirits) that Popes hereafter shall play no more vpon their patience, nor presume to put



bits and snaffles in their noble mouthes, to the binding vp of their power with weake scruples, like mighty buls lead about by litle children with a small twisted thred. To that God, that King of Kings I deuote my scepter; at his feet in all humblenes I lay downe my Crowne; to his holy decrees and commaunds I will euer be a faithfull seruant, and in his battels a faithfull champion. To conclude; in this iust cause and quarrell, I dare send the challenge, and will require no second, to maintaine as a defendant of honour, that my brother-Princes and my selfe, whom God hath aduanced vpon the Throne of Soueraigne Maiestie and supreame dignity, doe hold the Royall dignitie of his Maiestie alone; to whose seruice, as a most humble homager and vassall, I consecrate all the glory, honour, splendor, and lustre of my earthly Kingdomes.

A SPEACH, AS IT WAS DELIVERED IN THE VPPER HOVSE OF  
THE PARLIAMENT TO THE LORDS SPIRITVALL AND  
TEMPORALL, AND TO THE KNIGHTS, CITIZENS  
AND BURGESSES THERE ASSEMBLED,

ON MVNDAY THE XIX. DAY OF MARCH 1603. BEING THE FIRST DAY OF  
THE FIRST PARLIAMENT.

**I**T did no sooner please God to lighten his hand, and relent the violence of his deuouring Angel against the poore people of this Citie, but as soone did I resolute to call this Parliament, and that for three chiefe and principall reasons: The first whereof is, (and which of it selfe, although there were no more, is not onely a sufficient, but a most full and necessary ground and reason for conuening of this Assembly) (This first reason I say is, That you who are here presently assembled to represent the Body of this whole Kingdome, and of all sorts of people within the same, may with your owne eares heare, and that I out of mine owne mouth may deliuer vnto you the assurance of my due thankfulness for your so ioyfull and generall applause to the declaring and receiuing of mee in this Seate (which God by my Birthright and lineall descent had in the fulnesse of time prouided for me) and that, immediatly after it pleased God to call your late Soueraigne of famous memory, full of dayes, but fuller of immortall trophes of Honour, out of this transitorie life. Not that I am able to expresse by wordes, or vtter by eloquence the viue Image of mine inward thankfulness, but onely that out of mine owne mouth you may rest assured to expect that measure of thankfulness at my hands, which is according to the infinitenes of your deserts, and to my inclination and abilitie for requitall of the same. Shall I euer? nay, can I euer be able, or rather so vnable in memorie, as to forget your vnexpected readinesse and alacritie, your euer memorable resolution, and your most wonderfull coniunction and harmonie of your hearts in declaring and embracing mee as your vndoubted and lawfull King and Gouvernour? Or shall it euer bee blotted out of my minde, how at my first entrie into this Kingdome, the people of all sorts rid and ran, nay rather flew to meet mee? their eyes flaming nothing but sparkles of affection, their mouthes and tongues vttering nothing but sounds of ioy, their hands, feete, and all the rest of their members in their gestures discovering a passionate longing, and earnestnesse to meete and embrace their new Soueraigne. *Quid ergo retribuam?* Shall I allow in my selfe, that which I could neuer beare with in another? No I must plainly and freely confesse here in all your audiences, that I did euer naturally so farre mislike a tongue to smoothe, and diligent in paying their creditors with lip payment and verball thanks, as I euer suspected that sort of people meant not to pay their debtors in more substantiall



sort of coyne. And therefore for expressing of my thankfulnessse, I must resort vnto the other two reasons of my conuening of this Parliament, by them in action to vtter my thankfulnessse: Both the said reasons hauing but one ground, which is the deedes, whereby all the dayes of my life, I am by Gods grace to expresse my said thankfulnessse towards you, but diuided in this, That in the first of these two, mine actions of thanks, are so inseparably conioyned with my Person, as they are in a maner become indiuidually annexed to the same: In the other reason, mine actions are such, as I may either doe them, or leaue them vndone, although by Gods grace I hope neuer to be weary of the doing of them.)

As to the first: It is the blessings which God hath in my Person bestowed vpon you all, wherein I protest, I doe more glorie at the same for your weale, then for any particular respect of mine owne reputation, or aduantage therein.

## I

The first then of these blessings, which God hath ioynly with my Person sent vnto you, is outward Peace: that is, peace abroad with all forreine neighbours: for I thanke God I may iustly say, that neuer since I was a King, I either receiued wrong of any other Christian Prince or State, or did wrong to any: I haue euer, I praise God, yet kept Peace and amitie with all, which hath bene so farre tyed to my person, as at my comming here you are witnesses I found the State embarqued in a great and tedious warre, and onely by mine arriuall here, and by the Peace in my Person, is now amitie kept, where warre was before, which is no smal blessing to a Christian Common-wealth: for by Peace abroad with their neighbours the Townes flourish, the Merchants become rich, the Trade doeth encrease, and the people of all sorts of the Land enioy free libertie to exercise themselues in their seuerall vocations without perill or disturbance. Not that I thinke this outward Peace so vnseparably tyed to my Person, as I dare assuredly promise to my selfe and to you, the certaine continuance thereof: but thus farre I can very well assure you, and in the word of a King promise vnto you, That I shall neuer giue the first occasion of the breach thereof, neither shall I euer be moued for any particular or priuate passion of mind to interrupt your publike Peace, except I be forced thereunto, either for reparation of the honour of the Kingdom, or else by necessitie for the weale and preservation of the same: In which case, a secure and honourable warre must be preferred to an vnsecure and dishonourable Peace: yet doe I hope by my experience of the by-past blessings of Peace, which God hath so long euer since my Birth bestowed vpon mee, that hee wil not be weary to continue the same, nor repent him of his grace towards me, transferring that sentence of King *Dauids* vpon his by-past victories of warre, to mine of Peace, That, *that God who preserued me from the deuouring iawes of the Beare and of the Lion, and deliuered them into my hands, shall also now grant me victory ouer that vncircumcised Philistine.*

But although outward Peace be a great blessing; yet is it as farre inferiour to peace within, as Ciuill warres are more cruell and vnnaturall then warres abroad. And therefore the second great blessing that God hath with my Person sent vnto you, is Peace within, and that in a double forme. First, by my descent lineally out of the loynes of *Henry* the seuenth, is reunited and confirmed in mee the Vnion of the two Princely Roses of the two Houses of LANCASTER and YORKE, whereof that King of happy memorie was the first Vniter, as he was also the first ground-layer of the other Peace. The lamentable and miserable euent by the Ciuill and bloody dissention betwixt these two Houses was so great and so late, as it need not be renewed vnto your memories: which, as it was first setled and vnited in him, so is it now reunited and confirmed in me, being iustly and lineally descended, not onely of that happie coniunction, but of both the Branches thereof many times before. But the Vnion of these two princely Houses, is nothing comparable to the Vnion of two ancient and famous Kingdomes, which is the other inward Peace annexed to my Person.

And here I must craue your patiences for a little space, to giue me leaue to discourse more particularly of the benefits that doe arise of that Vnion which is made in my blood, being a matter that most properly belongeth to me to speake of, as the head wherein that great Body is vnited. And first, if we were to looke no higher then to naturall and Physicall reasons, we may easily be perswaded of the great benefits that by that Vnion do redound to the whole Island: for if twentie thousand men be a strong Armie, is not the double thereof, fourtie thousand, a double the stronger Armie? If a Baron enricheth himselfe with double as many lands as hee had before, is he not double the greater? Nature teacheth vs, that Mountaines are made of Motes, and that at the first, Kingdomes being diuided, and euery particular Towne or little Countie, as Tyrants or Vsurpers could obtaine the possession, a Segniorie apart, many of these little Kingdomes are now in processe of time, by the ordinance of God, ioyned into great Monarchies, whereby they are become powerfull within themselues to defend themselues from all outward inuasions, and their head and gouernour thereby enabled to redeeme them from forreine assaults, and punish priuate transgressions within. Do we not yet remember, that this Kingdome was diuided into seuen little Kingdomes, besides Wales? And is it not now the stronger by their vnion? And hath not the vnion of Wales to England added a greater strength thereto? Which though it was a great Principallitie, was nothing comparable in greatnesse and power to the ancient and famous Kingdome of Scotland. But what should we sticke vpon any naturall appearance, when it is manifest that God by his Almighty prouidence hath preordained it so to be? Hath not God first vnited these two Kingdomes both in Language, Religion, and similitude of maners? Yea, hath hee not made vs all in one Island, compassed with one Sea, and of it selfe by nature so indiuisable,



as almost those that were borderers themselves on the late Borders, cannot distinguish, nor know, or discern their owne limits? These two Countries being separated neither by Sea, nor great Riuer, Mountaine, nor other strength of nature, but onely by little small brookes, or demolished little walles, so as rather they were diuided in apprehension, then in effect; And now in the end and fulnesse of time vnited, the right and title of both in my Person, alike lineally descended of both the Crownes, whereby it is now become like a little World within it selfe, being intrenched and fortified round about with a naturall, and yet admirable strong pond or ditch, whereby all the former feares of this Nation are now quite cut off: The other part of the Island being euer before now not onely the place of landing to all strangers, that was to make inuasion here, but likewise moued by the enemies of this State by vntimely incursions, to make inforced diuersion from their Conquests, for defending themselves at home, and keeping sure their backe-doore, as then it was called, which was the greatest hinderance and let that euer my Predecessors of this Nation gat in disturbing them from their many famous and glorious conquests abroad: What God hath conioyned then, let no man separate. I am the Husband, and all the whole Isle is my lawfull Wife; I am the Head, and it is my Body;<sup>1</sup> I am the Shepherd, and it is my flocke: I hope therefore no man will be so vnreasonable as to thinke that I that am a Christian King vnder the Gospel, should be a Polygamist and husband to two wiues; that I being the Head, should haue a diuided and monstrous Body; or that being the Shepheard to so faire a Flocke (whose fold hath no wall to hedge it but the foure Seas) should haue my Flocke parted in two. But as I am assured, that no honest Subiect of whatsoever degree within my whole dominions, is lesse glad of this ioyfull Vnion then I am; So may the friuolous obiection of any that would bee hinderers of this worke, which God hath in my Person already established, bee easily answered, which can be none, except such as are either blinded with Ignorance, or els transported with Malice, being vnable to liue in a well gouerned Commonwealth, and onely delighting to fish in troubled waters. For if they would stand vpon their reputation and priuiledges of any of the Kingdomes, I pray you was not both the Kingdomes Monarchies from the beginning, and consequently could euer the Body bee counted without the Head, which was euer vnseparably ioyned thereunto? So that as Honour and Priuiledges of any of the Kingdomes could not be diuided from their Soueraigne; So are they now confounded & ioyned in my Person, who am equall and alike kindly Head to you both. When this Kingdome of *England* was diuided into so many little Kingdomes as I told you before; one of them behoued to eate vp another, till they were all vnited in one. And yet can *Wiltshire* or *Deuonshire*, which were of the *West Saxons*, although their Kingdome was of longest durance, and did by Conquest ouercome diuers of the rest of the little Kingdomes, make claime to Prioritie of Place or Honour before *Sussex*, *Essex*, or other Shires which were conquered by them? And haue we not the like experience in the Kingdome of *France*, being

composed of diuers Dutchies, and one after another conquered by the sword ? For euen as little brookes lose their names by their running and fall into great Riuers, and the very name and memorie of the great Riuers swallowed vp in the Ocean: so by the coniunction of diuers little Kingdomes in one, are all these priuate differences and questions swallowed vp. And since the successe was happie of the *Saxons* Kingdomes being conquered by the speare of *Bellona*; <sup>1</sup> How much greater reason haue wee to expect a happie issue of this greater Vnion, which is only fastened and bound vp by the wedding Ring of *Astrea* ? <sup>2</sup> And as God hath made *Scotland* the one halfe of this Isle to enioy my Birth, and the first and most vnperfect halfe of my life, and you heere to enioy the perfect and the last halfe thereof; so can I not thinke that any would be so iniurious to me, no not in their thoughts and wishes, as to cut asunder the one halfe of me from the other. But in this matter I haue farre enough insisted, resting assured that in your hearts and mindes you all applaud this my discourse.

## 3

Now although these blessings before rehearsed of Inward and Outward peace, be great: yet seeing that in all good things, a great part of their goodnesse and estimation is lost, if they haue not appearance of perpetuity or long continuance; so hath it pleased Almighty God to accompany my person also with that fauour, hauing healthful and hopefull Issue of my body, whereof some are here present, for continuance and propagation of that vndoubted right which is in my Person; vnder whom I doubt not but it will please God to prosper and continue for many yeeres this Vnion, and all other blessings of Inward and outward Peace, which I haue brought with me.

## 4

Bvt neither Peace outward, nor Peace inward, nor any other blessings that can follow thereupon, nor appearance of the perpetuitie thereof, by propagation in the posteritie, is but a weake pillar and a rotten reed to leane vnto, if God doe not strengthen and by the staffe of his blessing make them durable: For in vaine doeth the Watchman watch the Citie, if the Lord be not the principall defence thereof: In vaine doeth the builder build the house, if God giue not the successe: And in vaine (as *Paul* saith) doeth *Paul* plant and *Apollo* water, if God giue not the increase: For all worldly blessings are but like swift passing shadowes, fading flowers, or chaffe blowen before the wind, if by the profession of trew Religion, and works according thereunto, God be not moued to maintaine and settle the Thrones of Princes. And although that since mine entry into this Kingdome, I haue both by meeting with diuers of the Ecclesiastical Estate, and likewise by diuers Proclamations clearely declared my minde in points of Religion, yet doe I not thinke it amisse in this so solempne an Audience, I should now

<sup>1</sup> Mars.<sup>2</sup> Loue and Peace.



take occasion to discouer somewhat of the secrets of my heart in that matter: For I shall neuer (with Gods grace) bee ashamed to make publike profession thereof at all occasions, lest God should bee ashamed to professe and allow mee before men and Angels, especially lest that at this time men might presume further vpon the misknowledge of my meaning to trouble this Parliament of ours then were conuenient. At my first comming, although I found but one Religion, and that which by my selfe is professed, publicly allowed, and by the Law maintained: Yet found I another sort of Religion, besides a priuate Sect, lurking within the bowels of this Nation. The first is the trew Religion, which by me is professed, and by the Law is established: The second is the falsly called Catholikes, but trewly Papists: The third, which I call a sect rather then Religion, is the *Puritanes* and  *Nouelists*, who doe not so farre differ from vs in points of Religion, as in their confused forme of Policie and Paritie, being euer discontented with the present gouernment, & impatient to suffer any superiority, which maketh their sect vnable to be suffred in any wel gouerned Commonwealth. But as for my course toward them, I remit it to my Proclamations made vpon that Subiect. And now for the Papists, I must put a difference betwixt mine owne priuate profession of mine owne saluation, and my politike gouernment of the Realme for the weale and quietnes thereof. As for mine owne profession, you haue me your Head now amongst you of the same Religion that the body is of. As I am no stranger to you in blood, no more am I a stranger to you in Faith, or in the matters concerning the house of God. And although this my profession be according to mine education, wherein (I thanke God) I sucked the milke of Gods trewth, with the milke of my Nurse: yet do I here protest vnto you, that I would neuer for such a conceit of constancy or other preiudicate opinion, haue so firmly kept my first profession, if I had not found it agreeable to all reason, and to the rule of my Conscience. But I was neuer violent nor vnreasonable in my profession: I acknowledge the Romane Church to be our Mother Church, although defiled with some infirmities and corruptions, as the Iewes were when they crucified Christ: And as I am none enemie to the life of a sicke man, because I would haue his bodie purged of ill humours; no more am I enemie to their Church, because I would haue them reforme their errors, not wishing the downethrowing of the Temple, but that it might be purged and cleansed from corruption: otherwise how can they wish vs to enter, if their house be not first made cleane? But as I would be loather to dispense in the least point of mine owne Conscience for any worldly respect, then the foolishhest Precisian of them all; so would I bee as sory to straight the politique Gouernement of the bodies and mindes of all my Subiectes to my priuate opinions: Nay, my minde was euer so free from persecution, or thralling of my Subiects in matters of Conscience, as I hope that those of that profession within this Kingdome haue a prooffe since my comming, that I was so farre from encreasing their burdens with *Rehoboam*, as I haue so much as either time, occasion, or law could permit, lightened them. And euen now at this time

haue I bene carefull to reuise and consider deeply vpon the Lawes made against them, that some ouerture may be proponed to the present Parliament for clearing these Lawes by reason (which is the soule of the Law) in case they haue bene in times past further, or more rigorously extended by Iudges, then the meaning of the Law was, or might tend to the hurt aswell of the innocent as of guiltie persons. And as to the persons of my Subiects which are of that profession, I must diuide them into two rankes, Clerickes and Layickes; for the part of the Layicks, certainly I euer thought them farre more excusable then the other sort, because that sort of Religion containeth such an ignorant, doubtfull, and implicit kinde of faith in the Layickes grounded vpon their Church, as except they doe generally beleue whatsoeuer their Teachers please to affirme, they cannot be thought guilty of these particular points of heresies and corruptions, which their Teachers doe so wilfully professe. And againe I must subdiuide the same Layickes into two rankes, that is, either quiet and well minded men, peaceable Subiects, who either being old, haue retayned their first drunken in liquor vpon a certaine shamefastnesse to be thought curious or changeable: Or being young men, through euill education haue neuer bene nursed or brought vp, but vpon such venim in place of wholesome nutriment. And that sort of people I would be sorry to punish their bodies for the errour of their minds, the reformation whereof must onely come of God and the trew Spirit. But the other ranke of Layicks, who either through Curiositie, affectation of Noueltie, or discontentment in their priuat humours, haue changed their coates, onely to be factious stirrers of Sedition, and Perturbers of the common wealth, their backwardnesse in their Religion giueth a ground to me the Magistrate, to take the better heed to their proceeding, and to correct their obstinacie. But for the part of the Clerickes, I must directly say and affirme, that as long as they maintaine one speciall point of their doctrine, and another point of their practise, they are no way sufferable to remaine in this Kingdome. Their point of doctrine is that arrogant and ambitious Supremacie of their Head the Pope, whereby he not onely claimes to bee Spirituall head of all Christians, but also to haue an Imperiall ciuill power ouer all Kings and Emperors, dethroning and decrowning Princes with his foot as pleaseth him, and dispensing and disposing of all Kingdomes and Empires at his appetite. The other point which they obserue in continuall practise, is the assassines and murders of Kings, thinking it no sinne, but rather a matter of saluation, to doe all actions of rebellion and hostilitie against their naturall Soueraigne Lord, if he be once cursed, his subiects discharged of their fidelitie, and his Kingdome giuen a prey by that three crowned Monarch, or rather Monster their Head. And in this point, I haue no occasion to speake further here, sauing that I could wish from my heart, that it would please God to make me one of the members of such a generall Christian vnion in Religion, as laying wilfulnesse aside on both hands, wee might meete in the midst, which is the Center and perfection of all things. For if they would leaue, and be ashamed of such new and grosse Corruptions of



theirs, as themselves cannot maintaine, nor denie to bee worthy of reformation, I would for mine owne part be content to meete them in the mid-way, so that all nouelties might be renounced on either side. For as my faith is the Trew, Ancient Catholike and Apostolike faith, grounded vpon the Scriptures and expresse word of God: so will I euer yeeld all reuerence to antiquitie in the points of Ecclesiasticall pollicy; and by that meanes shall I euer with Gods grace keepe my selfe from either being an hereticke in Faith, or schismaticke in matters of Pollicie. But of one thing would I haue the Papists of this Land to bee admonished, That they presume not so much vpon my Lenitie (because I would be loath to be thought a Persecuter) as thereupon to thinke it lawfull for them dayly to encrease their number and strength in this Kingdome, whereby if not in my time, at least in the time of my posteritie, they might be in hope to erect their Religion againe. No, let them assure themselves, that as I am a friend to their persons if they be good subiects: so am I a vowed enemy, and doe denounce mortall warre to their errors: And that as I would be sory to bee driuen by their ill behauiour from the protection and conseruation of their bodies and liues; So will I neuer cease as farre as I can, to tread downe their errors and wrong opinions. For I could not permit the encrease and growing of their Religion, without first betraying of my selfe, and mine owne conscience: Secondly, this whole Isle, aswell the part I am come from, as the part I remaine in, in betraying their Liberties, and reducing them to the former slauish yoke, which both had casten off, before I came amongst them: And thirdly, the libertie of the Crowne in my posteritie, which I should leaue againe vnder a new slavery, hauing found it left free to me by my Predecessors. And therefore would I wish all good Subiects that are deceiued with that corruption, first if they find any beginning of instinction in themselves of knowledge and loue to the Trewth, to foster the same by all lawfull meanes, and to beware of quenching the spirit that worketh within them; And if they can find as yet no motion tending that way, to be studious to reade and conferre with learned men, and to vse all such meanes as may further their Resolution, assuring themselves, that as long as they are disconformable in Religion from vs, they cannot bee but halfe my Subiects, bee able to doe but halfe seruice, and I to want the best halfe of them, which is their soules. And here haue I occasion to speake to you my Lords the Bishops: For as you, my Lord of Durham, said very learnedly to day in your Sermon, Correction without instruction, is but a Tyrannie: So ought you, and all the Clergie vnder you, to be more carefull, vigilant, and diligent then you haue bene, to winne Soules to God, aswell by your exemplary life, as doctrine. And since you see how carefull they are, sparing neither labour, paines, nor extreme perill of their persons to diuert, (the Deuill is so busie a Bishop) yee should bee the more carefull and wakefull in your charges. Follow the rule prescribed you by *S. Paul*, *Bee carefull to exhort and to instruct in season, and out of season*: and where you haue bene any way sluggish before, now waken your selues vp againe with a new diligence in this point, re-

mitting the successe to God, who calling them either at the second, third, tenth or twelfth houre, as they are alike welcome to him, so shall they bee to mee his Lieutenant here.

The third reason of my conuening of you at this time, which conteineth such actions of my thankfulnessse toward you, as I may either doe, or leaue vndone, yet shall with Gods grace euer presse to performe all the dayes of my life: It consists in these two points; In making of Lawes at certaine times, which is onely at such times as this in Parliament; or in the carefull execution thereof at all other times. As for the making of them, I will thus farre faithfully promise vnto you, That I will euer preferre the weale of the body and of the whole Common-wealth, in making of good Lawes and constitutions, to any particular or priuate ends of mine, thinking euer the wealth and weale of the Common-wealth to bee my greatest weale and worldly felicitie: A point wherein a lawfull King doeth directly differ from a Tyrant. But at this time I am onely thus farre to forewarne you in that point, That you beware to seeke the making of too many Lawes, for two especiall reasons: First, because *In corruptissima Republica plurimæ leges*; and the execution of good Lawes is farre more profitable in a Common-wealth, then to burden mens memories with the making of too many of them. And next, because the making of too many Lawes in one Parliament, will bring in confusion, for lacke of leisure wisely to deliberate before you conclude: For the Bishop said well to day, That to Deliberation would a large time be giuen, but to Execution a greater promptnesse was required. As for the execution of good Lawes, it hath bene very wisely and honourably foreseene and ordered by my predecessours in this Kingdome, in planting such a number of Iudges, and all sorts of Magistrates in conuenient places for the execution of the same: And therefore must I now turne mee to you that are Iudges and Magistrates vnder mee, as mine Eyes and Eares in this case. I can say none otherwise to you, then as *Ezekias* the good King of *Iuda* said to their Iudges, *Remember that the Thrones that you sit on are Gods, and neither yours nor mine*: And that as you must be answerable to mee, so must both you and I be answerable to God, for the due execution of our Offices. That place is no place for you to vtter your affections in, you must not there hate your foe nor loue your friend, feare the offence of the greater partie or pity the miserie of the meaner; yee must be blinde and not see distinctions of persons, handlesse, not to receiue bribes; but keepe that iust temper and mid-course in all your proceedings, that like a iust ballance ye may neither sway to the right nor left hand. Three principall qualities are required in you; Knowledge, Courage, and Sinceritie: that you may discern with knowledge, execute with courage, and doe both in vpright sinceritie. And as for my part, I doe vow and protest here in the presence of God, and of this honourable Audiance, I neuer shall be wearie, nor omit no occasion, wherein I may shew my carefulnesse of the execution of good Lawes. And as I wish you that are Iudges not to be weary in your Office in doing of it; so shall I neuer be wearie, with Gods grace, to take account of you, which is properly my calling.



And thus hauing tolde you the three causes of my conuening of this Parliament, all three tending onely to vtter my thankfulnessse, but in diuers formes, the first by word, the other two by action; I doe confesse that when I haue done and performed all that in this Speech I haue promised, *Inutilis seruus sum*: Inutile, because the meaning of the word *Inutilis* in that place of Scripture is vnderstood, that in doing all the seruice which wee can to God, it is but our due, and wee doe nothing to God but that which wee are bound to doe. And in like maner, when I haue done all that I can for you, I doe nothing but that which I am bound to do, and am accomptable to God vpon the contrary: For I doe acknowledge, that the speciall and grēatest point of difference that is betwixt a rightfull King and an vsurping Tyrant is in this; That whereas the proude and ambitious Tyrant doeth thinke his Kingdome and people are onely ordeined for satisfaction of his desires and vnreasonable appetites; The righteous and iust King doeth by the contrary acknowledge himselfe to bee ordeined for the procuring of the wealth and prosperitie of his people, and that his greatest and principall worldly felicitie must consist in their prosperitie. If you bee rich I cannot bee poore, if you bee happy I cannot but bee fortunate, and I protest that your welfare shall euer be my greatest care and contentment: And that I am a Seruant it is most trew, that as I am Head and Gouvernour of all the people in my Dominion who are my naturall vassals and Subiects, considering them in numbers and distinct Rankes; So if wee will take the whole People as one body and Masse, then as the Head is ordeined for the body and not the Body for the Head; so must a righteous King know himselfe to bee ordeined for his people, and not his people for him: For although a King and people be *Relata*; yet can hee be no King if he want people and Subiects. But there be many people in the world that lacke a Head, wherefore I will neuer bee ashamed to confesse it my principall Honour to bee the great Seruant of the Common-wealth, and euer thinke the prosperitie thereof to be my greatest felicitie, as I haue already said.

But as it was the whole Body of this Kingdome, with an vniforme assent and harmonie, as I told you in the beginning of my Speech, which did so farre oblige me in good will and thankfulnessse of requitall by their alacritie and readinesse in declaring and receiuing mee to that place which God had prouided for mee, and not any particular persons: (for then it had not bene the body) So is my thankfulnessse due to the whole State. For euen as in matter of faults, *Quod à multis peccatur, impunè peccatur*: Euen so in the matter of vertuous and good deedes, what is done by the willing consent and harmonie of the whole body, no particular person can iustly claime thanks as proper to him for the same. And therefore I must heere make a little Apologie for my selfe, in that I could not satisfie the particular humours of euery person, that looked for some aduancement or reward at my hand since my entrie into this Kingdome. Three kinde of things were craued of mee: Aduancement to honour, Preferment to place of Credit about my Person, and Reward in matters of land or profit. If I had

bestowed Honour vpon all, no man could haue beene aduanced to Honour: for the degrees of Honour doe consist in perfering some aboue their fellowes. If euery man had the like accesse to my Priuy or Bed-chamber, then no man could haue it, because it cannot containe all. And if I had bestowed Lands and Rewards vpon euery man, the fountaine of my liberalitie would be so exhausted and dried, as I would lacke meanes to bee liberall to any man. And yet was I not so sparing, but I may without vaunting affirme that I haue enlarged my fauour in all the three degrees, towards as many and more then euer King of *England* did in so short a space: No, I rather craue your pardon that I haue beene so bountifull: for if the meanes of the Crowne bee wasted, I behoued then to haue recourse to you my Subiects, and bee burdensome to you, which I would bee lothest to bee of any King aliue. For as it is trew, that as I haue already said, it was a whole Body which did deserue so well at my hand, and not euery particular person of the people: yet were there some who by reason of their Office, credit with the people or otherwise, tooke occasion both before, and at the time of my comming amongst you, to giue prooffe of their loue and affection towards me. Not that I am any way in doubt, that if other of my Subiects had beene in their places, and had had the like occasion, but they would haue vttered the like good effects, (so generall and so great were the loue and affection of you all towards mee:) But yet this hauing beene performed by some speciall persons, I could not without vnthankfulnesse but requite them accordingly. And therefore had I iust occasion to aduance some in Honour, some to places of seruice about mee, and by rewarding to enable some who had deserued well of mee, and were not otherwise able to maintaine the rankes I thought them capable of, and others who although they had not particularly deserued before, yet I found them capable and worthy of place of preferment and credit, and not able to sustaine those places for which I thought them fit, without my helpe. Two especiall causes moued mee to be so open handed: whereof the one was reasonable and honourable; but the other I will not bee ashamed to confesse vnto you, proceeded of mine owne infirmitie. That which was iust and honourable, was: That being so farre beholding to the body of the whole State, I thought I could not refuse to let runne some small brookes out of the fountaine of my thankfulnessse to the whole, for refreshing of particular persons that were members of that multitude. The other which proceeded out of mine owne infirmitie, was the multitude and importunitie of Sutors. But although reason come by infusion in a maner, yet experience groweth with time and labour: And therefore doe I not doubt, but experience in time coming will both teach the particular Subiects of this Kingdome, not to be so importune and vndiscreete in crauing: And mee not to be so easily and lightly moued, in granting that which may be harmefull to my Estate, and consequently to the whole Kingdome.

And thus hauing at length declared vnto you my minde in all the points, for the which I called this Parliament: My conclusion shall onely now be to excuse



my selfe, in case you haue not found such Eloquence in my Speech, as peraduenture you might haue looked for at my hands. I might, if I list, alledge the great weight of my Affaires and my continuall businesse and distraction, that I could neuer haue leasure to thinke vpon what I was to speake, before I came to the place where I was to speak: And I might also alledge that my first sight of this so famous and Honourable an Assembly, might likewise breede some impediment. But leauing these excuses, I will plainely and freely in my maner tell you the trew cause of it, which is; That it becommeth a King, in my opinion, to vse no other Eloquence then plainnesse and sinceritie. By plainnesse I meane, that his Speeches should be so cleare and voyd of all ambiguitie, that they may not be throwne, nor rent asunder in contrary sences like the old Oracles of the Pagan gods. And by sinceritie, I vnderstand that vprightnsse and honestie which ought to be in a Kings whole Speeches and actions: That as farre as a King is in Honour erected aboue any of his Subiects, so farre should he striue in sinceritie to be aboue them all, and that his tongue should be euer the trew Messenger of his heart: and this sort of Eloquence may you euer assuredly looke for at my hands.

A SPEACH IN THE PARLIAMENT HOVSE, AS NEERE  
THE VERY WORDS AS COULD BE GATHERED AT  
THE INSTANT.

**M**Y Lords Spirituall and Temporall, and you the Knights and Burgesses of this Parliament, It was farre from my thoughts till very lately before my comming to this place, that this Subiect should haue bene ministred vnto mee, whereupon I am now to speake. But now it so falleth out, That whereas in the preceding Session of this Parliament, the principall occasion of my Speach was, to thanke and congratulate all you of this House, and in you, all the whole Common-wealth (as being the representatiue body of the State) for your so willing, and louing receiuing and embracing of mee in that place, which GOD and Nature by descent of blood, had in his owne time prouided for me: So now my Subiect is to speake of a farre greater Thankesgiuing then before I gaue to you, being to a farre greater person, which is to GOD, for the great and miraculous Deliuey he hath at this time granted to me, and to you all, and consequently to the whole body of this Estate.

I must therefore begin with this old and most approued Sentence of Diuinitie, *Misericordia Dei supra omnia opera eius*. For Almighty God did not furnish so great matter to his glory by the Creation of this great World, as he did by the Redemption of the same. Neither did his generation of the little world in our old & first Adam, so much set forth the praises of God in his Iustice and Mercy; as did our Regeneration in the last & second Adam.

And now I must craue a little pardon of you, That since Kings are in the word of GOD it selfe called Gods, as being his Lieutenants and Vice-gerents on earth, and so adorned and furnished with some sparkles of the Diuinitie; to compare some of the workes of GOD the great KING, towards the whole and generall world, to some of his workes towards mee, and this little world of my Dominions, compassed and seuered by the Sea from the rest of the earth. For as GOD for the iust punishment of the first great sinnes in the originall world, when the sonnes of GOD went in to the daughters of men, and the cup of their iniquities of all sorts was filled, and heaped vp to the full, did by a generall deluge and ouerflowing of waters, baptize the world to a generall destruction, and not to a generall purgation (onely excepted NOAH and his family, who did repent and beleue the threatnings of GODS iudgement:) So now when the world shall waxe old as a garment, and that all the impieties and sinnes that can be deuised against both the first and second Table, haue and shall bee committed to the full measure; GOD is to punish the world the second time by fire, to the generall destruction and not purgation



thereof. Although as was done in the former to NOAH and his family by the waters; So shall all we that beleue be likewise purged, and not destroyed by the fire. In the like sort, I say, I may iustly compare these two great and fearefull *Domes-dayes*, wherewith GOD threatned to destroy mee and all you of this little world that haue interest in me. For although I confesse, as all mankinde, so chiefly Kings, as being in the higher places like the high Trees, or stayest Mountaines, and steepest Rockes, are most subiect to the dayly tempest of innumerable dangers; and I amongst all other Kings haue euer bene subiect vnto them, not onely euer since my birth, but euen as I may iustly say, before my birth: and while I was yet in my mothers belly: yet haue I bene exposed to two more speciall and greater dangers then all the rest.

The first of them, in the Kingdome where I was borne, and passed the first part of my life: And the last of them here, which is the greatest. In the former I should haue bene baptized in blood, and in my destruction not onely the Kingdom wherein I then was, but ye also by your future interest, should haue tasted of my ruine: Yet it pleased GOD to deliuer mee, as it were from the very brinke of death, from the point of the dagger, and so to purge me by my thankefull acknowledgement of so great a benefite. But in this, which did so lately fall out, and which was a destruction prepared not for me alone, but for you all that are here present, and wherein no ranke, aage, nor sexe should haue bene spared; This was not a crying sinne of blood, as the former, but it may well bee called a roaring, nay a thundring sinne of fire and brimstone, from the which GOD hath so miraculously deliuered vs all. What I can speake of this, I know not: Nay rather, what can I not speake of it? And therefore I must for horror say with the Poet, *Vox faucibus hæret*.

In this great and horrible attempt, whereof the like was neuer either heard or read, I obserue three wonderfull, or rather miraculous euent.

## I

First, in the crueltie of the Plot it selfe, wherein cannot be enough admired the horrible and fearefull crueltie of their deuice, which was not onely for the destruction of my Person, nor of my Wife and posteritie onely, but of the whole body of the State in generall; wherein should neither haue bene spared, or distinction made of yong nor of old, of great nor of small, of man nor of woman: The whole Nobilitie, the whole reuerend Clergie, Bishops, and most part of the good Preachers, the most part of the Knights and Gentrie; yea, and if that any in this Societie were fauourers of their profession, they should all haue gone one way: The whole Iudges of the land, with the most of the Lawyers, and the whole Clerkes: And as the wretch himselfe which is in the Tower, doeth confesse, it was purposely deuised by them, and concluded to be done in this house; That where the cruell Lawes (as they say) were made against their Religion, both place and persons should all be destroyed and blowne vp at once. And then consider there-

withall the cruel fourme of that practise: for by three different sorts in generall may mankinde be put to death.

The first, by other men, and reasonable creatures, which is least cruell: for then both defence of men against men may be expected, and likewise who knoweth what pitie God may stirre vp in the hearts of the Actors at the very instant? besides the many wayes and meanes, whereby men may escape in such a present furie.

And the second way more cruell then that, is by *Animal* and vnreasonable creatures: for as they haue lesse pitie then men, so is it a greater horror and more vnnaturall for men to deale with them: But yet with them both resistance may auaile, and also some pitie may be had, as was in the Lions, in whose denne *Daniel* was throwne; or that thankfull Lion, that had the Romane in his mercie.

But the third, which is most cruel and vnmercifull of all, is the destruction by insensible and inanimate things, and amongst them all, the most cruell are the two Elements of Water and Fire; and of those two, the fire most raging and mercilesse.

## 2

Secondly, how wonderfull it is when you shall thinke vpon the small, or rather no ground, whereupon the practisers were entised to inuent this Tragedie. For if these Conspirators had onely bene bankrupt persons, or discontented vpon occasion of any disgraces done vnto them; this might haue seemed to haue bene but a worke of reuenge. But for my owne part, as I scarcely euer knew any of them, so cannot they alledge so much as a pretended cause of grieve: And the wretch himselfe in hands doeth confesse, That there was no cause moouing him or them, but meerely and only Religion. And specially that christian men, at least so called, Englishmen, borne within the Countrey, and one of the specials of them my sworne Seruant in an Honourable place, should practise the destruction of their King, his Posterity, their Countrey and all: Wherein their following obstinacie is so ioyned to their former malice, as the fellow himselfe that is in hand, cannot be moued to discouer any signes or notes of repentance, except onely that he doeth not yet stand to auow, that he repents for not being able to performe his intent.

## 3

Thirdly, the discouery hereof is not a little wonderfull, which would bee thought the more miraculous by you all, if you were aswell acquainted with my naturall disposition, as those are who be neere about me: For as I euer did hold Suspition to be the sicknes of a Tyrant, so was I so farre vpon the other extremity, as I rather contemned all aduertisements, or apprehensions of practises. And yet now at this time was I so farre contrary to my selfe, as when the Letter was shewed to me by my Secretary, wherein a generall obscure aduertisement was giuen of some dangerous blow at this time, I did vpon the instant interpret and apprehend some darke phrases therein, contrary to the ordinary Grammer con-



struction of them, (and in an other sort then I am sure any Diuine, or Lawyer in any Vniuersitie would haue taken them) to be meant by this horrible forme of blowing vs vp all by Powder; And thereupon ordered that search to be made, whereby the matter was discouered, and the man apprehended: whereas if I had apprehended or interpreted it to any other sort of danger, no worldly prouision or preuention could haue made vs escape our vtter destruction.

And in that also was there a wonderfull prouidence of God, that when the party himselfe was taken, he was but new come out of his house from working, hauing his Fireworke for kindling ready in his pocket, wherewith as he confesseth, if he had bene taken but immediatly before when he was in the House, he was resolved to haue blowen vp himselfe with his Takers.

One thing for mine owne part haue I cause to thanke God in, That if God for our sinnes had suffered their wicked intents to haue preuailed, it should neuer haue bene spoken nor written in aages succeeding, that I had died ingloriously in an Ale-house, a Stews, or such vile place, but mine end should haue bene with the most Honourable and best company, and in that most Honourable and fittest place for a King to be in, for doing the turnes most proper to his Office. And the more haue We all cause to thanke and magnifie God for this his mercifull Deliuery; And specially I for my part, that he hath giuen me yet once leaue, whatsoever should come of me hereafter, to assemble you in this Honourable place; And here in this place, where our generall destruction should haue bene, to magnifie and praise him for Our generall deliuery: That I may iustly now say of mine Enemies and yours, as *David* doeth often say in the Psalme, *Inciderunt in foueam quam fecerunt*. And since *Scipio* an Ethnick, led onely by the light of Nature, That day when he was accused by the *Tribunes* of the people of *Rome* for mispending and wasting in his *Punick* warres the Cities Treasure, even vpon the sudden brake out with that diuersion of them from that matter, calling them to remembrance how that day, was the day of the yeere, wherein God had giuen them so great a victory against *Hannibal*, therefore it was fitter for them all, leauing other matters, to runne to the Temple to praise God for that so great deliuery, which the people did all follow with one applause: How much more cause haue we that are Christians to bestow this time in this place for Thankes-giuing to God for his great Mercy, though we had had no other errant of assembling here at this time? wherein if I haue spoken more like a Diuine then would seeme to belong to this place, the matter it selfe must plead for mine excuse: For being here comen to thanke God for a diuine worke of his Mercy, how can I speake of this deliuerance of vs from so hellish a practise, so well as in language of Diuinitie, which is the direct opposite to so damnable an intention? And therefore may I iustly end this purpose, as I did begin it with this Sentence, *The Mercie of God is aboue all his workes*.

It resteth now that I should shortly informe you what is to bee done hereafter vpon the occasion of this horrible and strange accident. As for your part that

are my faithfull and louing Subiects of all degrees, I know that your hearts are so burnt vp with zeale in this errant, and your tongues so ready to vtter your duetifull affections, and your hands and feete so bent to concurre in the execution thereof, (for which as I neede not to spurre you, so can I not but praise you for the same:) As it may very well be possible that the zeale of your hearts shall make some of you in your speeches rashly to blame such as may bee innocent of this attempt; But vpon the other part I wish you to consider, That I would be sorie that any being innocent of this practise, either domesticall or forraine, should receiue blame or harme for the same. For although it cannot be denied, That it was the onely blinde superstition of their errors in Religion, that led them to this desperate deuice; yet doth it not follow, That all professing that *Romish* religion were guiltie of the same. For as it is trew, That no other sect of heretiques, not excepting *Turke*, *Iew*, nor *Pagan*, no not euen those of *Calicute*, who adore the deuill, did euer maintaine by the grounds of their religion, That it was lawfull, or rather meritorious (as the *Romish* Catholickes call it) to murther Princes or people for quarrell of Religion. And although particular men of all professions of Religion haue beene some Theeues, some Murtherers, some Traitors, yet euer when they came to their end and iust punishment, they confessed their fault to bee in their nature, and not in their profession, (These *Romish* Catholicks onely excepted:) Yet it is trew on the other side, that many honest men blinded peraduenture with some opinions of Popery, as if they be not found in the questions of the *Reall presence*, or in the number of the Sacraments, or some such Schoole question: yet doe they either not know, or at least not beleue all the trew grounds of Popery, which is in deed *The mysterie of iniquitie*. And therefore doe we iustly confesse, that many Papists, especially our forefathers, laying their onely trust vpon CHRIST and his Merits at their last breath, may be, and often times are saued; detesting in that point, and thinking the crueltie of Puritanes worthy of fire, that will admit no saluation to any Papist. I therefore thus doe conclude this point, That as vpon the one part many honest men, seduced with some errors of Popery, may yet remaine good and faithfull Subiects: So vpon the other part, none of those that trewly know and beleue the whole grounds, and Schoole conclusions of their doctrine, can euer proue either good Christians, or faithfull Subiects. And for the part of forraine Princes and States, I may so much the more acquite them, and their Ministers of their knowledge and consent to any such villanie, as I may iustly say, that in that point I better know all Christian Kings by my selfe, That no King nor Prince of Honour will euer abase himselfe so much, as to thinke a good thought of so base and dishonourable a Treachery, wishing you therefore, that as God hath giuen me an happie Peace and Amitie, with all other Christian Princes my neighbours (as was euen now very grauely told you by my L. Chancellor) that so you will reuerently iudge and speak of them in this case. And for my part I would wish with those ancient Philosophers, that there were a Christall window in my brest,



wherein all my people might see the secretest thoughts of my heart, for then might you all see no alteration in my minde for this accident, further then in these two points. The first, Caution and warinesse in gouernment, to discouer and search out the mysteries of this wickednesse as farre as may be: The other, after due triall, Seueritie of punishment vpon those that shall bee found guilty of so detestable and vnheard of villanie. And now in this matter if I haue troubled your eares with an abrupt speach, vndigested in any good methode or order; you haue to consider that an abrupt, and vnaduised speach doeth best become in the relation of so abrupt and vnorderly an accident.

And although I haue ordained the proroguing of this Parliament vntil after Christmas vpon two necessary respects: whereof the first is, that neither I nor my Councill can haue leisure at this time both to take order for the Apprehension and triall of these Conspiratours, and also to wait vpon the dayly affaires of the Parliament, as the Councill must doe: And the other reason is, the necessitie at this time of diuers of your presences in your Shires that haue Charges and Commandements there. For as these wretches thought to haue blowen vp in a maner the whole world of this Island, euery man being now commen vp here, either for publike causes of Parliament, or else for their owne piruate causes in Law, or otherwise: So these Rebels that now wander through the Countrey, could neuer haue gotten so fit a time of safetie in their passage, or whatsoever vnlawfull Actions, as now when the Countrey by the foresaid occasions is in a maner left desolate, and waste vnto them. Besides that, it may be that I shall desire you at your next Session, to take vpon you the Iudgement of this Crime: For as so extraordinary a Fact deserues extraordinary Iudgement, So can there not I thinke (following euen their owne Rule) be a fitter Iudgement for them, then that they should be measured with the same measure wherewith they thought to measure vs: And that the same place and persons, whom they thought to destroy, should be the iust auengers of their so vnnaturall a Parricide: Yet not knowing that I will haue occasion to meete with you my selfe in this place at the beginning of the next Session of this Parliament, (because if it had not been for deliuering of the Articles agreed vpon by the Commissioners of the Vnion, which was thought most conuenient to be done in my presence, where both Head and Members of the Parliament were met together, my presence had not otherwise been requisite here at this time:) I haue therefore thought good for conclusion of this Meeting, to discourse to you somewhat anent the trew nature and definition of a Parliament, which I will remit to your memories till your next sitting downe, that you may then make vse of it as occasion shall bee ministred.

For albeit it be trew, that at the first Session of my first Parliament, which was not long after mine Entrie into this Kingdome, It could not become me to informe you of any thing belonging to Law or State heere: (for all knowledge must either bee infused or acquired, and seeing the former sort thereof is now with Prophecie ceased in the world, it could not be possible for me at my first Entry

here, before Experience had taught it me, to be able to vnderstand the particular mysteries of this State:) yet now that I haue reigned almost three yeeres amongst you, and haue beene carefull to obserue those things that belong to the office of a King, albeit that Time be but a short time for experience in others, yet in a King may it be thought a reasonable long time, especially in me, who, although I be but in a maner a new King heere, yet haue bene long acquainted with the office of a King in such another Kingdome, as doeth neerest of all others agree with the Lawes and customes of this State. Remitting to your consideration to iudge of that which hath beene concluded by the Commissioners of the Vnion, wherein I am at this time to signifie vnto you, That as I can beare witnesse to the foresaid Commissioners, that they haue not agreed nor concluded therein any thing wherein they haue not foreseen as well the weale and commodity of the one Countrey, as of the other; So can they all beare mee record, that I was so farre from pressing them to agree to any thing, which might bring with it any preiudice to this people; as by the contrary I did euer admonish them, neuer to conclude vpon any such Vnion, as might cary hurt or grudge with it to either of the said Nations: for the leauing of any such thing, could not but be the greatest hindrance that might be to such an Action, which God by the lawes of Nature had prouided to be in his owne time, and hath now in effect perfected in my Person, to which purpose my Lord Chancellour hath better spoken, then I am able to relate.

And as to the nature of this high Court of Parliament, It is nothing else but the Kings great Councell, which the King doeth assemble either vpon occasion of interpreting, or abrogating old Lawes, or making of new, according as ill maners shall deserue, or for the publike punishment of notorious euill doers, or the praise and reward of the vertuous and well deservuers; wherein these foure things are to be considered.

First, whereof this Court is composed.

Secondly, what matters are proper for it.

Thirdly, to what end it is ordeined.

And fourthly, what are the meanes and wayes whereby this end should bee brought to passe.

As for the thing it selfe, It is composed of a Head and a Body: The Head is the King, the Body are the members of the Parliament. This Body againe is subdiuided into two parts; The Vpper and Lower House: The Vpper compounded partly of Nobility, Temporall men, who are heritable Councillors to the high Court of Parliament by the honour of their Creation and Lands: And partly of Bishops, Spirituall men, who are likewise by the vertue of their place and dignitie Councillours, Life Renters, or *Ad vitam* of this Court. The other House is composed of Knights for the Shire; and Gentry, and Burgesses for the Townes. But because the number would be infinite for all the Gentlemen and Burgesses to bee present at euery Parliament, Therefore a certaine number is selected and



chosen out of that great Body, seruing onely for that Parliament, where their persons are the representation of that Body.

Now the matters whereof they are to treat ought therefore to be generall, and rather of such matters as cannot well bee performed without the assembling of that generall Body, and no more of these generals neither, then necessity shall require: for as *in Corruptissima Republica sunt plurimæ leges*: So doeth the life and strength of the Law consist not in heaping vp infinite and confused numbers of Lawes, but in the right interpretation and good execution of good and wholesome Lawes. If this be so then, neither is this a place on the one side for euery rash and harebrained fellow to propone new Lawes of his owne inuention: nay rather I could wish these busie heads to remember that Law of the Lacedemonians, That whosoever came to propone a new Law to the people, behoued publicly to present himselfe with a rope about his necke, that in case the Law were not allowed, he should be hanged therewith. So warie should men be of proponing Nouelties, but most of all not to propone any bitter or seditious Laws, which can produce nothing but grudges and discontentment betweene the Prince and his people: Nor yet is it on the other side a conuenient place for priuate men vnder the colour of general Lawes, to propone nothing but their owne particular gaine, either to the hurt of their priuate neighbours, or to the hurt of the whole State in generall, which many times vnder faire and pleasing Titles, are smoothly passed ouer, and so by stealth procure without consideration, that the priuate meaning of them tendeth to nothing but either to the wrecke of a particular partie, or else vnder colour of publike benefite to pill the poore people and serue as it were for a generall Impost vpon them for filling the purses of some priuate persons.

And as to the end for which the Parliament is ordeined, being only for the aduancement of Gods glory, and the establishment and wealth of the King and his people: It is no place then for particular men to vtter there their priuate conceits, not for satisfaction of their curiosities, and least of all to make shew of their eloquence by tyning the time with long studied and eloquent Orations: No, the reuerence of God, their King, and their Countrey being well settled in their hearts, will make them ashamed of such toyes, and remember that they are there as sworne Councillours to their King, to giue their best aduise for the furtherance of his Seruice, and the flourishing Weale of his Estate.

And lastly, if you will rightly consider the meanes and wayes how to bring all your labours to a good end, you must remember, That you are heere assembled by your lawfull King to giue him your best aduises, in the matters proposed by him vnto you, being of that nature, which I haue already told, wherein you are grauely to deliberate, and vpon your consciences plainly to determine how farre those things propounded doe agree with the weale, both of your King and of your Countrey, whose weales cannot be separated. And as for my selfe, the world shall euer beare mee witnesse, That I neuer shall propone any thing vnto you, which shall not as well tend to the weale publike, as to any

benefite for me: So shall I neuer oppone my selfe to that, which may tend to the good of the Common-wealth, for the which I am ordeined, as I haue often said. And as you are to giue your aduise in such things as shall by your King be proposed: So is it on your part your dueties to propone any thing that you can after mature deliberation iudge to be needefull, either for these ends already spoken of, or otherwise for the discouery of any latent euill in the Kingdome, which per-aduenture may not haue commen to the Kings eare. If this then ought to bee your graue maner of proceeding in this place, Men should bee ashamed to make shew of the quicknesse of their wits here, either in taunting, scoffing, or detracting the Prince or State in any point, or yet in breaking iests vpon their fellowes, for which the Ordinaries or Ale-houses are fitter places, then this Honourable and high Court of Parliament.

In conclusion then since you are to break vp, for the reasons I haue already told you, I wish such of you as haue any charges in your Countreys, to hasten you home for the repressing of the insolencies of these Rebels, and apprehension of their persons, wherein as I heartily pray to the Almightye for your prosperous successe: So doe I not doubt, but we shall shortly heare the good newes of the same; And that you shall haue an happie returne, and meeting here to all our comforts.

*Here the Lord Chancellor spake touching the proroguing of the Parliament: And hauing done, his Maiestie rose againe, and said,*

Since it pleased God to graunt mee two such notable Deliueries vpon one day of the weeke, which was Tuesday, and likewise one day of the Moneth, which was the fifth; Thereby to teach mee, That as it was the same deuill that still persecuted mee; So it was one and the same God that still mightily deliuered mee: I thought it therefore not amisse, That the one and twentieth day of Ianuary, which fell to be vpon Tuesday, should bee the day of meeting of this next Session of Parliament, hoping and assuring my selfe, that the same God, who hath now granted me and you all so notable and gracious a deliuerie, shall prosper all our affaires at that next Session, and bring them to an happie conclusion. And now I consider GOD hath well provided it, that the ending of this Parliament hath bene so long continued: For as for my owne part, I neuer had any other intention, but onely to seeke so farre my weale, and prosperitie, as might coniunctly stand with the flourishing State of the whole Common-wealth, as I haue often told you; So on the other part I confesse, if I had bene in your places at the beginning of this Parliament, (which was so soone after mine entry into this Kingdome, wherein ye could not possibly haue so perfect a knowledge of mine inclination, as experience since hath taught you,) I could not but haue suspected, and mis-interpreted diuers things, In the trying whereof, now I hope, by your experience of my behaiour and forme of gouernment, you are well ynough cleared, and resolued.



A SPEACH TO BOTH THE HOVSES OF PARLIAMENT,  
DELIVERED IN THE GREAT CHAMBER AT  
WHITE-HALL,

THE LAST DAY OF MARCH 1607.

**M**Y Lords of the higher House, and you Knights and Burgesses of the Lower house, All men at the beginning of a Feast bring foorth good Wine first, and after, worse. This was the saying of the Gouvernour of the Feast at *Cana in Galile*, where CHRIST wrought his first miracle by changing water into Wine. But in this case now whereof I am to speake vnto you, I must follow that Gouvernours rule, and not CHRISTS example, in guing you the worst and sowrest Wine last. For all the time of this long Session of the Parliament you haue bene so fed and cloy'd, (specially you of the Lower house) with such banquets, and choise of delicate speeches, and your eares so seasoned with the sweetnesse of long precogitate Orations; as this my Speech now in the breaking vp of this Assembly, cannot but appeare vnto your taste as the worst Wine proposed in the end of the Banquet, since I am onely to deliuer now vnto you matter without curious forme, substance without ceremonie, trewth in all sinceritie. Yet considering the Person that speaketh, the parties to whom I speake, the matter whereof I meane to speake; it fits better to vtter matter, rather then wordes, in regard of the greatnesse of my place who am to speak to you, the grautie of you the Auditorie, which is the high Court of Parliament; the weight of the matter, which concernes the securitie and establishment of this whole Empire, and litle world. Studied Orations and much eloquence vpon little matter is fit for the Vniuersities, where not the Subiect which is spoken of, but the triall of his wit that speaketh, is most commendable: but on the contrary, in all great Councels of Parliaments, fewest wordes with most matter doeth become best, where the dispatch of the great errands in hand, and not the praise of the person is most to bee looked vnto: like the garment of a chaste woman, who is onely set forth by her naturall beautie, which is properly her owne: other deckings are but ensignes of an harlot that flies with borrowed feathers. And besides the conueniencie, I am forced hereunto by necessitie, my place calling me to action, and not leauing me to the libertie of contemplation, hauing alwayes my thoughts busied with the publique care of you all, where euery one of you hauing but himselfe, and his owne priuate to thinke of, are at more leisure to make studied speeches. And therefore the matter which I deliuer you confusedly as in a sacke, I leaue it to you when you are in your chambers, and haue better leysure then I can haue, to ranke them in order, euery one in their owne place.

Thus much by way of Preface. But I proceed to the matter: Whereof I might say with *S. Paul*, I could speake in as many tongues as you all, but I had rather speake three wordes to edification, then talke all day without vnderstanding. In vaine (saith the *Psalmist*) doeth the builder build the house, or the watchman watch the Citie, vnlesse the Lord giue his blessing thereunto. And in the New Testament *S. Paul* saith, That hee may plant, *Apollo* may water, but it is God onely that must giue the increase. This I speake, because of the long time which hath bene spent about the Treatie of the Vnion. For my selfe, I protest vnto you all, When I first propounded the Vnion, I then thought there could haue bene no more question of it, then of your declaration and acknowledgement of my right vnto this Crowne, and that as two Twinnes, they would haue growne vp together. The errorr was my mistaking; I knew mine owne ende, but not others feares: But now finding many crossings, long disputations, strange questions, and nothing done; I must needs thinke it proceeds either of mistaking of the errand, or else from some iealousie of me the Propounder, that you so adde delay vnto delay, searching out as it were the very bowels of Curiositie, and conclude nothing. Neither can I condemne you for being yet in some iealousie of my intention in this matter, hauing not yet had so great experience of my behauiour and inclination in these few yeeres past, as you may peraduenture haue in a longer time hereafter and not hauing occasion to consult dayly with my selfe, and heare mine owne opinion in all those particulars which are debated among you.

But here I pray you now mistake mee not at the first, when as I seeme to finde fault with your delayes and curiositie, as if I would haue you to resolute in an houres time, that which will take a moneths aduisement: for you all know, that *Rex est lex loquens*; And you haue oft heard mee say, That the Kings will and intention being the speaking Law, ought to bee *Luce clarius*: and I hope you of the Lower house haue the prooue of this my clearnesse by a Bil sent you downe from the Vpper house within these few dayes, or rather few houres: wherein may well appeare vnto you the care I haue to put my Subiects in good securitie of their possessions for all posterities to come. And therefore that you may clearely vnderstand my meaning in that point, I doe freely confesse, you had reason to aduise at leasure vpon so great a cause: for great matters doe euer require great deliberation before they be well concluded. *Deliberandum est diu quod statuendum est semel*. Consultations must proceed *lento pede*, but the execution of a sentence vpon the resolution would be speedie. If you will goe on, it matters not though you goe with leaden feet, so you make still some progresse, and that there be no let or needlesse delay, and doe not *Nodum in scirpo quærere*. I am euer for the *Medium* in euery thing. Betweene foolish rashnesse and extreame length, there is a middle way. Search all that is reasonable, but omit that which is idle, curious and vnecessary; otherwise there can neuer be a resolution or end in any good worke.



And now from the generall I wil descend to particulars, and wil onely for the ease of your memories diuide the matter that I am to speake of, into foure heads, by opening vnto you, First, what I craue: Secondly, in what maner I desire it: Thirdly, what commodities will ensue to both the Kingdomes by it: Fourthly, what the supposed inconueniencie may be that giues impediments thereunto.

For the first, what I craue, I protest before GOD who knowes my heart, and to you my people before whom it were a shame to lie, that I claime nothing but with acknowledgement of my Bond to you; that as yee owe to me subiection and obedience: So my Soueraigntie obligeth mee to yeeld to you loue, gouernment and protection: Neither did I euer wish any happinesse to my selfe, which was not conioyned with the happinesse of my people. I desire a perfect Vnion of Lawes and persons, and such a Naturalizing as may make one body of both Kingdomes vnder mee your King, That I and my posteritie (if it so please God) may rule ouer you to the worlds ende; Such an Vnion as was of the Scots and Pictes in Scotland, and of the Heptarchie here in England. And for Scotland I auow such an Vnion, as if you had got it by Conquest, but such a Conquest as may be cemented by loue, the onely sure bond of subiection or friendship: that as there is ouer both but *vnus Rex*, so there may be in both but *vnus Grex & vna Lex*: For no more possible is it for one King to gouerne two Countreys *Contiguous*, the one a great, the other a lesse, a richer and a poorer, the greater drawing like an Adamant the lesser to the Commodities thereof, then for one head to gouerne two bodies, or one man to be husband of two wiues, whereof Christ himselfe said, *Ab initio non fuit sic*.

But in the generall Vnion you must obserue two things: for I will discouer my thoughts plainly vnto you; I study clearenes, not eloquence, And therefore with the olde Philosophers, I would heartily wish my brest were a transparent glasse for you all to see through, that you might looke into my heart, and then would you be satisfied of my meaning. For when I speake of a perfect Vnion, I meane not confusion of all things: you must not take from Scotland those particular Priuiledges that may stand as well with this Vnion, as in England many particular customes in particular Shires, (as the Customes of Kent, and the Royalties of the Countie Palatine of Chester) do with the Common Law of the Kingdome: for euery particular Shire almost, and much more euery Countie, haue some particular customes that are as it were naturally most fit for that people. But I meane of such a generall Vnion of Lawes as may reduce the whole Iland, that as they liue already vnder one Monarch, so they may all bee gouerned by one Law: For I must needs confesse by that little experience I haue had since my comming hither, and I thinke I am able to prooue it, that the grounds of the Common Law of England, are the best of any Law in the world, either Ciuil or Municipall, and the fittest for this people. But as euery Law would be cleare and full, so the obscuritie in some points of this our written Law, and want of fulnesse in others, the variation of Cases and mens curiositie, breeding euery day new questions,

hath enforced the Iudges to iudge in many Cases here, by Cases and presidents, wherein I hope Lawyers themselues will not denie but that there must be a great vncertaintie, and I am sure all the rest of you that are Gentlemen of other professions were long agoe wearie of it, if you could haue had it amended: For where there is varietie and vncertaintie although a iust Iudge may do rightly, yet an ill Iudge may take aduantage to doe wrong; and then are all honest men that succede him, tied in a maner to his vniust and partiall conclusions. Wherefore, leaue not the Law to the pleasure of the Iudge, but let your Lawes be looked into: for I desire not the abolishing of the Lawes, but onely the clearing and the sweeping off the rust of them, and that by Parliament our Lawes might be cleared and made knowne to all the Subiects. Yea rather it were lesse hurt, that all the approued Cases were set downe and allowed by Parliament for standing Lawes in all time to come: For although some of them peraduenture may bee vniust as set downe by corrupt Iudges; yet better it is to haue a certaine Law with some spots in it, nor liue vnder such an vncertaine and arbitrarie Law, since as the prouerbe is, It is lesse harme to suffer an inconuenience then a mischiefe. And now may you haue faire occasion of amending and polishing your Lawes, when Scotland is to bee vnited with you vnder them: for who can blame Scotland to say, If you will take away our owne Lawes, I pray you giue vs a better and cleerer in place thereof.

But this is not possible to bee done without a fit preparation. Hee that buildeth a Ship, must first prouide the timber; and as Christ himselfe said, No man will build an house, but he will first prouide the materials: nor a wise King will not make warre against another, without he first make prouision of money: and all great workes must haue their preparation: and that was my end in causing the Instrument of the Vnion to be made. Vnion is a mariage: would he not bee thought absurd that for furthering of a mariage betweene two friends of his, would make his first motion to haue the two parties be laid in bedde together, and performe the other turnes of mariage? must there not precede the mutuall sight and acquaintance of the parties one with another, the conditions of the contract, and Ioincture to be talked of and agreed vpon by their friends, and such other things as in order ought to goe before the ending of such a worke? The vnion is an eternall agreement and reconciliation of many long bloody warres that haue beene betweene these two ancient Kingdomes. Is it the readiest way to agree a priuate quarell betweene two, to bring them at the first to shake hands, and as it were kisse other, and lie vnder one roofe or rather in one bedde together, before that first the ground of their quarell be communed vpon, their mindes mitigated, their affections prepared, and all other circumstances first vsed, that ought to be vsed to proceed to such a finall agreement? Euery honest man desireth a perfect Vnion, but they that say so, and admit no preparation thereto, haue *mel in ore, fel in corde*. If after your so long talke of Vnion in all this long Session of Parliament, yee rise without agreeing vpon any particular; what will the neighbour



Princes iudge, whose eyes are all fixed vpon the conclusion of this Action, but that the King is refused in his desire, whereby the Nation should bee taxed, and the King disgraced? And what an ill preparation is it for the mindes of Scotland toward the Vnion, when they shall heare that ill is spoken of their whole Nation, but nothing is done nor aduanced in the matter of the Vnion it selfe? But this I am glad was but the fault of one, and one is no number: yet haue your neighbours of Scotland this aduantage of you, that none of them haue spoken ill of you (nor shall as long as I am King) in Parliament, or any such publique place of Iudicature. Consider therefore well, if the mindes of Scotland had not neede to be well prepared to perswade their mutuall consent, seeing you here haue all the great aduantage by the Vnion. Is not here the personall residence of the King, his whole Court and family? Is not here the seate of Iustice, and the fountaine of Gouernment? must they not be subiected to the Lawes of England, and so with time become but as Cumberland and Northumberland, and those other remote and Northerne Shires? you are to be the husband, they the wife: you conquerours, they as conquered, though not by the sword, but by the sweet and sure bond. Besides that, they as other Northerne Countreys will be seldome seene and saluted by their King, and that as it were but in a posting or hunting iourney.

How little cause then they may haue of such a change of so ancient a Monarchie into the case of priuate Shires, iudge rightly herein. And that you may be the more vpriight Iudges, suppose your selues the Patients of whom such sentence should be giuen. But what preparation is it which I craue? onely such as by the entrance may shew something is done, yet more is intended. There is a conceipt intertained, and a double iealousie possesseth many, wherein I am misiudged.

First, that this Vnion will be the *Crisis* to the ouerthrow of England, and setting vp of Scotland: England will then bee ouerwhelmed by the swarming of the Scots, who if the Vnion were effected, would raigne and rule all.

The second is, my profuse liberalitie to the Scottish men more then the English, and that with this Vnion all things shalbe giuen to them, and you turned out of all: To you shall bee left the sweat and labour, to them shall bee giuen the fruite and sweet; and that my forbearance is but till this Vnion may be gained. How agreeable this is to the trewth, Iudge you; And that not by my wordes, but by my Actions. Doe I craue the Vnion without exceptions? doe I not offer to binde my selfe and to reserue to you, as in the Instrument, all places of Iudicature? doe I intend any thing which standeth not with the equall good of both Nations? I could then haue done it, and not spoken of it: For all men of vnderstanding must agree, that I might dispose without assent of Parliament, Offices of Iudicature, and others, both Ecclesiastical and Temporall: But herein I did voluntarily offer by my Letters from Royston to the Commissioners, to bind my Prerogatiue.

Some thinke that I will draw the Scottish Nation hither, talking idly of transporting of Trees out of a barren ground into a better, and of leane cattell out

of bad pasture into a more fertile soile. Can any man displant you, vnlesse you will? or can any man thinke that Scotland is so strong to pull you out of your houses? or doe you not thinke I know England hath more people, Scotland more wast ground? So that there is rounth in Scotland rather to plant your idle people that swarme in London streets, and other Townes, and disburden you of them, then to bring more vnto you; And in cases of Iustice, if I bee partiall to either side, let my owne mouth condemne me, as vnworthy to be your King.

I appeale to your selues, if in fauour or Iustice I haue beene partiall: Nay, my intention was euer, you should then haue most cause to praise my discretion, when you saw I had most power. If hitherto I haue done nothing to your prejudice, much lesse meane I hereafter. If when I might haue done it without any breach of promise; Thinke so of mee, that much lesse I will doe it, when a Law is to restraine me. I owe no more to the Scottish men then to the English. I was borne there, and sworne here, and now raigne ouer both. Such particular persons of the Scottish Nation, as might claime any extraordinary merit at my handes, I haue already reasonably rewarded, and I can assure you that there is none left, whom for I meane extraordinary to straine myselfe further, then in such ordinary benefit as I may equall bestow without mine owne great hurt, vpon any Subiect of either Nation; In which case no Kings handes can euer be fully closed. To both I owe Iustice and protection, which with Gods grace I shall euer equally ballance.

For my Liberalitie, I haue told you of it heretofore: my three first yeeres were to me as a Christmas, I could not then be miserable: should I haue bene ouersparing to them? they might haue thought *Ioseph* had forgotten his brethren, or that the King had beene drunke with his new Kingdome. But Suites goe not now so cheape as they were wont, neither are there so many fees taken in the Hamper and Pettibagge for the great Seale as hath beene. And if I did respect the English when I came first, of whom I was receiued with ioy, and came as in a hunting iourney, what might the Scottish haue iustly said, if I had not in some measure dealt bountifully with them that so long had serued me, so farre aduentured themselues with me, and beene so faithfull to mee. I haue giuen you now foure yeeres prooffe since my comming, and what I might haue done more to haue raised the Scottish nation you all know, and the longer I liue, the lesse cause haue I to be acquainted with them, and so the lesse hope of extraordinary fauour towards them: For since my comming from them I doe not alreadie know the one halfe of them by face, most of the youth being now risen vp to bee men, who were but children when I was there, and more are borne since my comming thence.

Now for my lands and reuenues of my Crowne which you may thinke I haue diminished, They are not yet so farre diminished, but that I thinke no prince of Christendome hath fairer possessions to his Crowne then yet I haue: and in token of my care to preserue the same to my posteritie for euer, the intaile of my



lands to the Crowne hath beene long agoe offered vnto you: and that it is not yet done, is not my fault as you know. My Treasurer here knoweth my care, and hath already in part declared it, and if I did not hope to treble my Reuenue more then I haue empaiied it, I should neuer rest quietly in my bed. But notwithstanding my comming to the Crowne, with that extraordinarie applause which you all know, and that I had two Nations to bee the obiects of my liberalitie, which neuer any Prince had here before; will you compare my gifts out of mine inheritance with some Princes here that had onely this Nation to respect, and whose whole time of reigne was litle longer then mine hath bene already? It will be found that their gifts haue farre surpassed mine, albeit as I haue already said, they had nothing so great cause of vsing their liberalitie.

For the maner of the Vnion presently desired, It standeth in 3. parts: The first, taking away of hostile Lawes: for since there can bee now no Warres betwixt you, is it not reason hostile Lawes should cease? For, *deficiente causa deficit effectus*. The King of England now cannot haue warres with the King of Scotland, therefore this failes of it selfe. The second is communitie of Commerce. I am no stranger vnto you: for you all know I came from the loynes of your ancient Kings. They of Scotland be my Subiects as you are. But how can I bee naturall Liege Lord to you both, and you strangers one to the other? Shall they which be of one alleagance with you, be no better respected of you, nor freer amongst you, then Frenchmen and Spaniards? Since I am Soueraigne ouer both, you as Subiects to one King, it must needes follow that you conuerse and haue Commerce together. There is a rumour of some ill dealings that should be vsed by the Commissioners, Merchants of Scotland. They be heere in England and shall remaine till your next meeting, and abide triall, to prooue themselues either honest men or knaues.

For the third point, of Naturalization, All you agree that they are no Aliens, and yet will not allow them to bee naturall. What kinde of prerogatiue will you make? But for the *Post nati*, your owne Lawyers and Iudges at my first coming to this Crowne, informed me, there was a difference betweene the *Antè* and the *Post nati* of each Kingdome, which caused mee to publish a Proclamation, that the *Post nati* were Naturalized (*Ipso facto*) by my Accession to this Crowne. I doe not denie but Iudges may erre as men, and therefore I doe not presse you here to sweare to all their reasons. I onely vrge at this time the conueniencie for both Kingdomes, neither pressing you to iudge nor to be iudged. But remember also it is as possible and likely your owne Lawyers may erre as the Iudges: Therefore as I wish you to proceede herein so farre as may tend to the weale of both Nations; So would I haue you on the other part to beware to disgrace either my Proclamations or the Iudges, who when the Parliament is done, haue power to trie your lands and liues, for so you may disgrace both your King and your Lawes. For the doing of any acte that may procure lesse reuerence to the Iudges, cannot but breede a loosenesse in the Gouvernement, and a disgrace to the whole Nation.

The reason that most mooues mee for ought I haue yet heard, that there cannot but bee a difference betweene the *Antè nati* and the *Post nati*, and that in the fauour of the last, is that they must bee neerer vnto you being borne vnder the present Gouvernement and common Allegiance: but in point of conueniencie, there is no question but the *Post nati* are more to bee respected: For if you would haue a perfect and perpetuall Vnion, that cannot be in the *Antè nati*, who are but few in comparison of those that shall be in all aages succeeding, and cannot liue long. But in the *Post nati* shall the Vnion be continued and liue euer aage after aage, which wanting a difference cannot but leaue a perpetuall marke of separation in the worke of the Vnion: as also that argument of ielousie will be so farre remooued in the case of the *Post nati* which are to reape the benefit in all succeeding aages, as by the contrary there will then rise *Pharaos* which neuer knew *Ioseph*. The Kings my Successours, who beeing borne and bred heere, can neuer haue more occasion of acquaintance with the Scottish Nation in generall, then any other English King that was before my time. Bee not therefore abused with the flattering speeches of such as would haue the *Antè nati* preferred, alleadging their merit in my Seruice, and such other reasons which indeed are but Sophismes: For, my rewarding out of my Liberalitie of any particular men, hath nothing adoe with the generall acte of the Vnion, which must not regard the deserts of priuate persons, but the generall weale and conioyning of the Nations. Besides that, the actuall Naturalizing, which is the onely point that is in your handes, is already graunted to by your selues to the most part of such particular persons as can haue any vse of it heere: and if any other well deseruing men were to sue for it hereafter, I doubt not but there would neuer bee question mooued among you for the granting of it. And therefore it is most eident, that such discourses haue *mel in ore, fel in corde*, as I said before; carrying an outward appearance of loue to the Vnion, but indeed a contrary resolution in their hearts. And as for limitations and restrictions, such as shall by me be agreed vpon to be reasonable and necessary after you haue fully debated vpon them, you may assure your selues I will with indifferencie grant what is requisite without partiall respect of Scotland. I am, as I haue often said, borne and sworne King ouer both Kingdomes; onely this farre let me entreat you, in debating the point at your next meeting. That yee be as ready to resolue doubts as to mooue them, and to be satisfied when doubts are cleered.

And as for Commodities that come by the Vnion of these Kingdoms, they are great and eident; Peace, Plentie, Loue, free Intercourse and common Societie of two great Nations. All forreigne Kings that haue sent their Ambassadors to congratulate with me since my comming, haue saluted me as Monarch of the whole Isle, and with much more respect of my greatnesse, then if I were King alone of one of these Realmes: and with what comfort doe your selues behold Irish, Scottish, Welsh, and English, diuers in Nation, yet all walking as Subiects and seruants within my Court, and all liuing vnder the allegiance of your King,



besides the honour and lustre that the encrease of gallant men in the Court of diuers Nations carries in the eyes of all strangers that repaire hither? Those confining places which were the Borders of the two Kingdomes, where heretofore much blood was shed, and many of your ancestours lost their liues; yea, that lay waste and desolate, and were habitations but for runnagates, are now become the Nauell or Vmbilick of both Kingdomes, planted and peopled with Ciuilitie and riches: their Churches begin to bee planted, their doores stand now open, they feare neither robbing nor spoiling: and where there was nothing before heard nor seene in those parts but bloodshed, oppressions, complaints and outcries, they now liue euery man peaceably vnder his owne figgetree, and all their former cryes and complaints turned onely into prayer to God for their King, vnder whom they enioy such ease and happy quietnesse. The Marches beyond and on this side Twede, are as fruitfull and as peaceable as most parts of England: If after all this there shall be a Scissure, what inconuenience will follow, iudge you.

And as for the inconueniences that are feared on Englands part, It is alleadged, that the Scots are a populous Nation, they shall be harboured in our nests, they shall be planted and flourish in our good Soile, they shall eate our commons bare, and make vs leane: These are foolish and idle surmises. That which you possesse, they are not to enioy; by Law they cannot, nor by my partialitie they shall not: for set apart conscience and honour, (which if I should set apart indeed, I had rather wish my selfe to bee set apart and out of all being) can any man conclude either out of common reason or good policie, that I will preferre those which perhaps I shall neuer see, or but by poste for a moneth, before those with whom I must alwayes dwell? Can they conquer or ouercome you with swarmes of people as the Goths and the Vandals did *Italy*? Surely the world knowes they are nothing so populous as you are: and although they haue had the honour and good fortune neuer to be conquered, yet were they euer but vpon the defensiuie part, and may in a part thanke their hilles and inaccessible passages that preserued them from an vtter ouerthrow at the handes of all that pretended to conquer them. Or are they so very poore and miserable in their owne habitations, that necessitie should force them all to make incursions among you?

And for my part, when I haue two Nations vnder my gouernment, can you imagine I will respect the lesser, and neglect the greater? would I not thinke it a lesse euill and hazard to mee that the plague were at Northampton or Barwicke, then at London, so neere Westminster, the Seat of my habitation, and of my wife and children? will not a man bee more carefull to quench the fire taken in his neerest neighbours house, then if a whole Towne were a fire farre from him? You know that I am carefull to preserue the woods and game through all England, nay, through all the Isle: yet none of you doubts, but that I would be more offended with any disorder in the Forrest of Waltham, for stealing of a Stagge there, which lieth as it were vnder my nose, and in a maner ioyneth with my garden, then with cutting of timber, or stealing of a Deare in any Forest of the

North parts of Yorkeshire or the Bishopricke. Thinke you that I will preferre them that be absent, lesse powerfull, and farther off to doe me good or hurt, before you, with whom my security and liuing must be, and where I desire to plant my posterity? If I might by any such fauours raise my selfe to a greatnesse, it might bee probable: All I cannot draw, and to lose a whole state here to please a few there, were madnesse. I neede speake no more of this with protestations. Speake but of wit, it is not likely: and to doubt of my intention in this, were more then deuilish.

For mine owne part, I offer more then I receiue, and conueniencie I preferre before law, in this point. For, three parts, wherein I might hurt this Nation, by partiality to the Scots, you know doe absolutely lie in my hands and power: for either in disposition of rents, or whatsoever benefit, or in the preferring of them to any dignitie or office, ciuill or Ecclesiasticall, or in calling them to the Parliament, it doeth all fully and onely lie within the compasse of my Prerogatiue, which are the parts wherein the Scottish men can receiue either benefite or preferment by the Vnion, and wherein for the care I haue of this people, I am content to binde my selfe with some reasonable restrictions.

As for the fourth part, the Naturalizing, which onely lieth in your hands; It is the point wherein they receiue least benefit of any: for in that they can obtaine nothing, but what they buy by their purse, or acquire by the selfe same meanes that you doe. And as for the point of naturalizing, which is the point thought so fit, and so precisely belonging to Parliament; not to speake of the Common law, wherein as yet I can professe no great knowledge, but in the Ciuill law wherein I am a little better versed, and which in the point of Coniunction of Nations should beare a great sway, it being the Law of Nations; I will mainteine two principles in it, which no learned and graue Ciuilian will deny, as being clearely to be proued, both out of the text it selfe in many places, and also out of the best approued Doctours and interpreters of that law; The one, that it is a speciall point of the Kings owne Prerogatiue, to make Aliens Citizens, and *donare Ciuitate*; The other, that in any case wherein the Law is thought not to be cleare (as some of your selues doe doubt, that in this case of the *post nati*, the Law of England doth not clearely determine) then in such a question wherein no positieue Law is resolute, *Rex est Iudex*, for he is *Lex loquens*, and is to supply the Law, where the Law wants, and if many famous histories be to be beleued, they giue the example for mainteining of this Law in the persons of the Kings of England and France especially, whose speciall Prerogatiue they alleadge it to be. But this I speake onely as knowing what belongeth to a King, although in this case I presse no further then that which may agree with your loues, and stand with the weale and conueniencie of both Nations.

And whereas some may thinke this Vnion will bring preiudice to some Townes and Corporations within England; It may bee, a Merchant or two of Bristow, or Yarmouth, may haue an hundred pounds lesse in his packe: But if the Empire



gaine, and become the greater, it is no matter: You see one Corporation is euer against another, and no priuate Companie can be set vp, but with some losse to another.

For the supposed inconueniences rising from Scotland, they are three. First, that there is an euill affection in the Scottish Nation to the Vnion. Next, the Vnion is incompatible betweene two such Nations. Thirdly, that the gaine is smal or none. If this be so, to what end do we talke of an Vnion? For prooffe of the first point, there is alleadged an auersenesse in the Scottish Nation expressed in the Instrument, both in the preface and body of their Acte; In the preface, where they declare, That they will remaine an absolute and free Monarchie; And in the body of the Acte, where they make an exception of the ancient fundamentall Lawes of that Kingdome. And first for the generall of their auersenes, All the maine current in your Lower-house ranne this whole Session of Parliament with that opinion, That Scotland was so greedy of this Vnion, and apprehended that they should receiue so much benefit by it, as they cared not for the strictnesse of any conditions, so they might attaine to the substance: And yet you now say, they are backwards and auerse from the Vnion. This is a direct contradiction *in adiecto*: For how can they both be beggers and backwards, in one and the selfe same thing, at the same time?

But for answeere to the particulars, It is an old Schoole point, *Eius est explicare, cuius est condere*. You cannot interpret their Lawes, nor they yours; I that made them with their assent, can best expound them.

And first I confesse, that the English Parliaments are so long, and the Scottish so short, that a meane betweene them would doe well: For the shortnesse of their continuing together, was the cause of their hastie mistaking, by setting these wordes of exception of fundamentall Lawes in the body of the Acte, which they onely did in pressing to imitate word by word the English Instrument, wherein the same wordes be contained in your Preface. And as to their meaning and interpretation of that word, I will not onely diliuer it vnto you out of mine owne conceipt, but as it was deliuered vnto mee by the best Lawyers of Scotland, both Counsellours and other Lawyers, who were at the making thereof in Scotland, and were Commissioners here for performance of the same.

Their meaning in the word of Fundamentall Lawes, you shall perceiue more fully hereafter, when I handle the obiection of the difference of Lawes: For they intend thereby onely those Lawes whereby confusion is auoyded, and their Kings descent mainteined, and the heritage of the succession and Monarchie, which hath bene a Kingdome, to which I am in descent, three hundreth yeeres before CHRIST: Not meaning it as you doe, of their Common Law, for they haue none, but that which is called *Ivs REGIS*: and their desire of continuing a free Monarchie, was onely meant, That all such particular Priuiledges (whereof I spake before) should not bee so confounded, as for want either of Magistrate, Law, or Order, they might fall in such a confusion, as to become like a naked Prouince,

without Law or libertie vnder this Kingdome. I hope you meane not I should set Garrisons ouer them, as the Spaniards doe ouer Sicily and Naples, or gouerne them by Commissioners, which are seldome found succeedingly all wise and honest men.

This I must say for Scotland, and I may trewly vaunt it; Here I sit and gouerne it with my Pen, I write and it is done, and by a Clarke of the Councell I gouerne Scotland now, which others could not doe by the sword. And for their auersenesse in their heart against the Vnion, It is trew indeede, I protest they did neuer craue this Vnion of me, nor sought it either in priuate, or the State by letters, nor euer once did any of that Nation presse mee forward or wish mee to accelerate that businesse. But on the other part, they offered alwayes to obey mee when it should come to them, and all honest men that desire my greatnesse haue beene thus minded, for the personall reuerence and regard they beare vnto my Person, and any of my reasonable and iust desires.

I know there are many *Piggots* amongst them, I meane a number of seditious and discontented particular persons, as must be in all Common-wealths, that where they dare, may peraduenture talke lewdly enough: but no Scottish man euer spake dishonourably of England in Parliament. For here must I note vnto you the difference of the two Parliaments in these two Kingdomes, for there they must not speake without the Chauncellors leaue, and if any man doe propound or vtter any seditious or vncomely speeches, he is straight interrupted and silenced by the Chauncellors authoritie: where as here, the libertie for any man to speake what hee list, and as long as he list, was the onely cause he was not interrupted.

It hath bin objected that there is a great Antipathy of the Lawes and Customes of these two Nations. It is much mistaken: for Scotland hath no Common Law as here, but the Law they haue is of three sorts.

All the Lawe of Scotland for Tenures, Wards and Liueries, Seigniories and Lands, are drawn out of the Chauncerie of England, and for matters of equitie and in many things else, differs from you but in certaine termes: *Iames* the first, bred here in England, brought the Lawes thither in a written hand. The second is Statute Lawes, which be their Acts of Parliament, wherein they haue power as you, to make and altar Lawes: and those may be looked into by you, for I hope you shall be no more strangers to that Nation. And the principall worke of this Vnion will be, to reconcile the Statute Lawes of both Kingdomes. The third is the Ciuill Law: *Iames* the fift brought it out of France by establishing the Session there, according to the forme of the Court of Parliament of Fraunce, which he had seene in the time of his being there: who occupie there the place of Ciuill Iudges in all matters of Plee or controuersie, yet not to gouerne absolutely by the Ciuill Law as in Fraunce. For if a man plead that the Law of the Nation is otherwise, it is a barre to the Ciuill, and a good Chauncellor or President, will oftentimes repell and put to silence an Argument that the Lawyers bring out of the Ciuill Law, where they haue a cleare solution in their owne Law. So as the Ciuill Law



in Scotland is admitted in no other cases, but to supply such cases wherein the Municipall Law is defectiue. Then may you see it is not so hard a matter as is thought, to reduce that Countrey to bee vnited with you vnder this Law, which neither are subiect to the Ciuill Lawe, nor yet haue any olde Common Law of their owne, but such as in effect is borrowed from yours. And for their Statute Lawes in Parliament, you may alter and change them as oft as occasion shall require, as you doe here. It hath likewise beene objected as an other impediment, that in the Parliament of Scotland the King hath not a negatiue voice, but must passe all the Lawes agreed on by the Lords and Commons. Of this I can best resolute you: for I am the eldest Parliament man in Scotland, and haue sit in more Parliaments then any of my Predecessors. I can assure you, that the forme of Parliament there, is nothing inclined to popularitie. About a twentie dayes or such a time before the Parliament, Proclamation is made throughout the Kingdome, to deliuer in to the Kings Clarke of Register (whom you heere call the Master of the Rolles) all Bills to be exhibited that Session before a certaine day. Then are they brought vnto the King, and perused and considered by him, and onely such as I allowe of are put into the Chancellors handes to bee propounded to the Parliament, and none others: And if any man in Parliament speake of any other matter then is in this forme first allowed by mee, The Chancellor tells him there is no such Bill allowed by the King.

Besides, when they haue passed them for lawes, they are presented vnto me, and I with my Scepter put into my hand by the Chancellor, must say, *I ratifie and approue all things done in this present Parliament.* And if there bee any thing that I dislike, they rase it out before. If this may bee called a negatiue voyce, then I haue one I am sure in that Parliament.

The last impediment is the French liberties: which is thought so great, as except the Scots forsake Fraunce England cannot bee vnited to them. If the Scottish Nation would bee so vnwilling to leaue them as is said, it would not lye in their hands: For the League was neuer made betweene the people, as is mistaken, but betwixt the *Princes* onely and their Crownes. The beginning was by a Message from a King of Fraunce, *Charlemaine* I take it (but I cannot certainly remember) vnto a King of Scotland, for a League defensiu and offensiue betweene vs and them against England, Fraunce being at that time in Warres with England.

The like at that time was then desired by England against Fraunce who also sent their Ambassadors to Scotland. At the first, the Disputation was long maintained in fauour of England, that they being our neerest Neighbours ioyned in one continent, and a strong and powerfull Nation, it was more fitte for the weale and securitie of the State of Scotland, to be in League and Amitie with them, then with a Countrey, though neuer so strong, yet diuided by Sea from vs: especially England lying betwixt vs and them, where we might be sure of a suddaine mischiefe, but behooued to abide the hazard of wind and weather, and other accidents that might hinder our reliefe.

But after, when the contrary part of the Argument was maintained: wherein allegation was made, that England euer sought to conquer Scotland, and therefore in regarde of their pretended interest in the Kingdome, would neuer keepe any sound Amitie with them longer, then they saw their aduantage; whereas France lying more remote and clayming no interest in the Kingdome, would therefore bee found a more constant and faithfull friend: It was vnhappily concluded in fauour of the last partie, through which occasion Scotland gate many mischiefes after: And it is by the very tenour thereof ordered, to bee renewed and confirmed from King to King successiuely, which accordingly was euer performed by the mediation of their Ambassadors, and therefore meere personall, and so was it renewed in the Queene my mothers time, onely betweene the two Kings, and not by assent of Parliament or conuention of the three Estates, which it could neuer haue wanted if it had beene a League betweene the people. And in my time when it came to be ratified, because it appeared to be in *odium tertii*, it was by me left vnrenewed or confirmed as a thing incompatible to my Person, in consideration of my Title to this Crowne. Some Priuiledges indeede in the Merchants fauour for point of Commerce, were renewed and confirmed in my time: wherein for my part of it, there was scarce three Counsellours more then my Secretarie, to whose place it belonged, that medled in that matter.

It is trew, that it behooued to be entertained, as they call it, in the Court of Parliament of *Paris*: but that onely serues for publication, and not to giue it Authoritie: That Parliament (as you know) being but a Iudiciall Seate of Iudges and Lawyers, and nothing agreeing with the definition or office of our Parliaments in this Isle. And therefore that any fruites or Priuiledges possessed by the League with Fraunce is able now to remaine in Scotland, is impossible: For ye may be sure, that the French King stayes onely vpon the sight of the ending of this Vnion, to cut it off himselfe. Otherwise when this great worke were at an end, I would be forced for the generall care I owe to all my Subiects, to craue of France like Priuiledges to them all as Scotland alreadie enioyes, seeing the personall friendship remaines as great betweene vs as betweene our Progenitors; and all my Subiects must be alike deare vnto me: which either hee will neuer grant, and so all will fall to the ground; or else it will turne to the benefite of the whole Island: and so the Scottish Priuiledges cannot hold longer then my League with France lasteth.

And for another Argument to prooue that this league is only betweene the Kings, and not betweene the people: They which haue Pensions, or are priuie Intelligence giuers in France without my leaue, are in no better case by the Law of Scotland, then if they were Pensioners to Spaine.

As for the Scottish Guard in France, the beginning thereof was, when an Earle of *Boghan* was sent in aide of the French with tenne thousand men, and there being made Constable, and hauing obtained a victorie, was murdered with the most of the Scottish Armie. In recompense whereof, and for a future securitie to



the Scottish Nation, the Scottish Guard was ordeined to haue the priuiledge and prerogatiue before all other Guards in guarding the Kings person.

And as for the last point of this subdiuision concerning the gaine that England may make by this Vnion, I thinke no wise nor honest man will aske any such question. For who is so ignorant, that doeth not know the gaine will bee great? Doe you not gaine by the Vnion of Wales? And is not Scotland greater then Wales? Shall not your Dominions bee encreased of Landes, Seas, and persons added to your greatnesse? And are not your Landes and Seas adioyning? For who can set downe the limits of Borders, but as a Mathematicall line or *Idæa*? Then will that backe doore bee shut, and those portes of *Ianus* be for euer closed: you shall haue them that were your enemies to molest you, a sure backe to defend you: their bodies shall bee your aides, and they must bee partners in all your quarrels: Two snow-balls put together, make one the greater: Two houses ioyned, and make one the larger: two Castle walles made in one, makes one as thicke and strong as both. And doe you not see in the Low countreys how auailable the English and the Scottish are being ioyned together? This is a point so plaine, as no man that hath wit or honestie, but must acknowledge it feelingly.

And where it is obiected that the Scottishmen are not tyed to the seruice of the King in the warres aboue forty dayes; It is an ignorant mistaking. For the trewth is, That in respect the Kings of Scotland did not so abound in Treasure and money to take vp an Armie vnder pay, as the Kings of England did; Therefore was the Scottish Army wont to be rayased onely by Proclamation, vpon the penaltie of their breach of alleageance; So as they were all forced to come to the Warre like Snailles who carry their house about with them; Euery Nobleman and Gentleman bringing with him their Tents, money, prouision for their house, victuals of all sorts, and all other necessities, the King supplying them of nothing: Necessitie thereupon enforcing a warning to be giuen by the Proclamation of the space of their attendance, without which they could not make their prouision accordingly, especially as long as they were within the bounds of Scotland, where it was not lawfull for them to helpe themselues by the spoile or wasting of the Countrey. But neither is there any Law Prescribing precisely such a certaine number of dayes, nor yet is it without the limits of the Kings power to keepe them together, as many more dayes as hee list, to renew his Proclamations from time to time some reasonable number of dayes, before the expiring of the former, they being euer bound to serue and waite vpon him, though it were an hundreth yeere if need were.

Now to conclude, I am glad of this occasion, that I might *Liberare animam meam*; You are now to recede: when you meete againe, remember I pray you, the trewth and sincerity of my meaning, which in seeking Vnion, is onely to aduance the greatnesse of your Empire seated here in England; And yet with such caution I wish it, as may stand with the weale of both States. What is now

desired, hath oft before bene sought when it could not bee obtained: To refuse it now then, were double iniquitie. Strengthen your owne felicitie, *London* must bee the Seate of your King, and Scotland ioyned to this kingdome by a Golden conquest, but cymented with loue, (as I said before) which within will make you strong against all Ciuill and intestine Rebellion, as without wee will bee compassed and guarded with our walles of brasse. Iudge mee charitably, since in this I seeke your equall good, that so both of you might bee made fearefull to your Enemies, powerfull in your selues, and auaileable to your friendes. Studie therefore hereafter to make a good Conclusion, auoyd all delayes, cut off all vaine questions, that your King may haue his lawfull desire, and be not disgraced in his iust endes. And for your securitie in such reasonable points of restrictions, whereunto I am to agree, yee need neuer doubt of my inclination: For I will not say anything which I will not promise, nor promise any thing which I will not sweare; What I sweare I will signe, and what I signe, I shall with Gods grace euer performe.



A SPEACH TO THE LORDS AND COMMONS OF THE  
PARLIAMENT AT WHITE-HALL,

ON WEDNESDAY THE XXI. OF MARCH. ANNO 1609.

WE being now in the midst of this season appointed for penitence and prayer, it hath so fallen out, that these two last dayes haue bene spent in a farre other sort of exercise, I meane in Eucharisticke Sacrifice, and gratulation of thanks, persented vnto mee by both the parts of this body of Parliament: and therefore to make vp the number of three, (which is the number of Trinitie, and perfection) I haue thought good to make this the third Day, to be spent in this exercise.

As ye made mee a faire Present indeed in presenting your thanks and louing dueties vnto mee: So haue I now called you here, to recompence you againe with a great and a rare Present, which is a faire and a Christall Mirror; Not such a Mirror wherein you may see your owne faces, or shadowes; but such a Mirror, or Christall, as through the transparantnesse thereof, you may see the heart of your King. The Philosophers wish, That euery mans breast were a Christall, where-through his heart might be seene, is vulgarly knowne, and I touched it in one of my former Speeches vnto you: But though that were impossible in the generall, yet will I now performe this for my part, That as it is a trew Axiome in Diuinitie, That *Cor Regis* is *in manu Domini*, So wil I now set *Cor Regis* in *oculis populi*. I know that I can say nothing at this time, whereof some of you that are here, haue not at one time or other, heard me say the like already: Yet as corporall food nourisheth and mainteineth the body, so doeth *Reminiscentia* nourish and mainteine memory.

I will reduce to three generall and maine grounds, the principall things that haue bene agitated in this Parliament, and whereof I will now speake.

First, the Arrand for which you were called by me; And that was, for supporting of my state, and necessities.

The second is, that which the people are to mooue vnto the King: To represent vnto him such things, whereby the Subiects are vexed, or wherein the state of the Commonwealth is to be redressed: And that is the thing which you call grieuances.

The third ground that hath bene handled amongst you, and not onely in talke amongst you in the Parliament, but euen in many other peoples mouthes, aswell within, as without the Parliament, is of a higher nature then any of the former (though it be but an Incident ?) and the reason is, because it concernes a higher point; And this is a doubt, which hath bene in the heads of some, of my Intention in two things.

First, whether I was resolu'd in the generall, to continue still my gouernment according to the ancient forme of this State, and the Lawes of this Kingdome: Or if I had an intention not to limit my selfe within those bounds, but to alter the same when I thought conuenient, by the absolute power of a King.

The other branch is anent the Common Law, which some had a conceit I disliked, and (in respect that I was borne where another forme of Law was established) that I would haue wished the Ciuill Law to haue bene put in place of the Common Law for gouernment of this people. And the complaint made amongst you of a booke written by doctour *Cowell*, was a part of the occasion of this incident: But as touching my censure of that booke, I made it already to bee deliuered vnto you by the Treasurer here sitting, which he did out of my owne directions and notes; and what he said in my name, that had he directly from me: But what hee spake of himselfe therein without my direction, I shal alwayes make good; for you may be sure I will be loth to make so honest a man a lyer, or deceiue your expectations: alwayes within very few dayes my Edict shall come forth anent that matter, which shall fully discouer my meaning.

There was neuer any reason to mooue men to thinke, that I could like of such grounds: For there are two qualities principally, or rather priuations that make Kings subiect to flatterie; *Credulitie* and *Ignorance*; and I hope none of them can bee iustly obiected to mee: For if *Alexander* the great, for all his learning, had bene wise in that point to haue considered the state of his owne naturall body and disposition, hee would neuer haue thought himselfe a god. And now to the matter. As it is a Christian duety in euery man, *Reddere rationem fidei*, and not to be ashamed to giue an account of his proession before men, and Angels, as oft as occasion shall require: So did I euer hold it a necessitie of honour in a iust and wise King, though not to giue an account to his people of his actions, yet clearely to deliuer his heart and intention vnto them vpon euery occasion. But I must inuert my order, and begin first with that incident which was last in my diuision (though highest of nature) and so goe backward.

◀ The State of MONARCHIE is the supremest thing vpon earth: For Kings are not onely GODS Lieutenants vpon earth, and sit vpon GODS throne, but euen by GOD himselfe they are called Gods. There bee three principall similitudes that illustrates the state of MONARCHIE: One taken out of the word of GOD; and the two other out of the grounds of Policie and Philosophie. In the Scriptures Kings are called Gods, and so their power after a certaine relation compared to the Diuine power. Kings are also compared to Fathers of families: for a King is trewly *Parens patriæ*, the politike father of his people. And lastly, Kings are compared to the head of this Microcosme of the body of man.

Kings are iustly called Gods, for that they exercise a manner or resemblance of Diuine power vpon earth: For if you wil consider the Attributes to God, you shall see how they agree in the person of a King. God hath power to create, or destroy, make, or vnmake at his pleasure, to giue life, or send death, to iudge all,



and to be iudged nor accomptable to none: To raise low things, and to make high things low at his pleasure, and to God are both soule and body due. And the like power haue Kings: they make and vnmake their subiects: they haue power of raising, and casting downe: of life, and of death: Iudges ouer all their subiects, and in all causes, and yet accomptable to none but God onely. They haue power to exalt low things, and abase high things, and make of their subiects like men at the Chesse; A pawne to take a Bishop or a Knight, and to cry vp, or downe any of their subiects, as they do their money. And to the King is due both the affection of the soule, and the seruice of the body of his subiects: And therefore that reuerend Bishop here amongst you, though I heare that by diuers he was mistaken or not wel vnderstood, yet did he preach both learnedly and trewly annent this point concerning the power of a King: For what he spake of a Kings power in *Abstracto*, is most trew in Diuinitie: For to Emperors, or Kings that are Monarches, their Subiects bodies & goods are due for their defence and maintenance. But if I had bene in his place, I would only haue added two words, which would haue cleared all: For after I had told as a Diuine, what was due by the Subiects to their Kings in general, I would then haue concluded as an Englishman, shewing this people, That as in generall all Subiects were bound to relieue their King; So to exhort them, that as wee liued in a settled state of a Kingdome which was gouerned by his owne fundamentall Lawes and Orders, that according thereunto, they were now (being assembled for this purpose in Parliament) to consider how to helpe such a King as now they had; And that according to the ancient forme, and order established in this Kingdome: putting so, a difference betweene the generall power of a King in Diuinity, and the settled and established State of this Crowne, and Kingdome. And I am sure that the Bishop meant to haue done the same, if hee had not bene straited by time, which in respect of the greatnesse of the presence preaching before me, and such an Auditory, he durst not presume vpon.

As for the Father of a familie, they had of olde vnder the Law of Nature *Patriam potestatem*, which was *Potestatem vitæ & necis*, ouer their children or familie (I meane such Fathers of families as were the lineall heires of those families whereof Kings did originally come:) For Kings had their first originall from them, who planted and spread themselues in *Colonies* through the world. Now a Father may dispose of his Inheritance to his children, at his pleasure: yea, euen disinherit the eldest vpon iust occasions, and preferre the youngest, according to his liking; make them beggers, or rich at his pleasure; restraine, or banish out of his presence, as hee findes them giue cause of offence, or restore them in fauour againe with the penitent sinner: So may the King deale with his Subiects.

And lastly, as for the head of the naturall body, the head hath the power of directing all the members of the body to that vse which the iudgement in the head thinkes most conuenient. It may apply sharpe cures, or cut off corrupt members, let blood in what proportion it thinkes fit, and as the body may spare, but yet is

all this power ordeined by God *Ad ædificationem, non ad destructionem*. For although God haue power aswell of destruction, as of creation or maintenance; yet will it not agree with the wisdome of God, to exercise his power in the destruction of nature, and ouerturning the whole frame of things, since his creatures were made, that his glory might thereby be the better expressed: So were hee a foolish father that would disinherite or destroy his children without a cause, or leaue off the carefull education of them; And it were an idle head that would in place of phisicke so poyson or phlebotomize the body as might breede a dangerous distemper or destruction thereof.

But now in these our times we are to distinguish betweene the state of Kings in their first originall, and betweene the state of settled Kings and Monarches, that doe at this time gouerne in ciuill Kingdomes: For euen as God, during the time of the olde Testament, spake by Oracles, and wrought by Miracles; yet how soone it pleased him to settle a *Church* which was bought, and redeemed by the blood of his onely Sonne *Christ*, then was there a cessation of both; Hee euer after gouerning his people and Church within the limits of his reueiled will. So in the first originall of Kings, whereof some had their beginning by Conquest, and some by election of the people, their wills at that time serued for Law; Yet how soone Kingdomes began to be settled in ciuilitie and policie, then did Kings set downe their minds by Lawes, which are properly made by the King onely; but at the roagation of the people, the Kings grant being obtained thereunto. And so the King became to be *Lex loquens*, after a sort, binding himselfe by a double oath to the obseruation of the fundamentall Lawes of his kingdome: *Tacitly*, as by being a King, and so bound to protect aswell the people, as the Lawes of his Kingdome; And *Expresely*, by his oath at his Coronation: So as euery iust King in a settled Kingdome is bound to obserue that paction made to his people by his Lawes, in framing his gouernment agreeable thereunto, according to that paction which God made with *Noe* after the deluge, *Here after Seed-time, and Haruest, Cold and Heate, Summer and Winter, and Day and Night shall not cease, so long as the earth remaines*. And therefore a King gouerning in a settled Kingdome, leaues to be a King, and degenerates into a Tyrant, assoone as he leaues off to rule according to his Lawes. In which case the Kings conscience may speake vnto him, as the poore widow said to Philip of Macedon; Either gouerne according to your Law, *Aut ne Rex sis*. And though no Christian man ought to allow any rebellion of people against their Prince, yet doeth God neuer leaue Kings vnpunished when they transgresse these limits: For in that same Psalme where God saith to Kings, *Vos Dij estis*, hee immediately thereafter concludes, *But ye shall die like men*. The higher wee are placed, the greater shall our fall be. *Vt casus sic dolor*: the taller the trees be, the more in danger of the winde; and the tempest beats sorest vpon the highest mountaines. Therefore all Kings that are not tyrants, or periured, wil be glad to bound themselues within the limits of their Lawes; and they that perswade them the contrary, are vipers, and pests, both against them



and the Commonwealth. For it is a great difference betweene a Kings gouernment in a setled State, and what Kings in their originall power might doe in *Indiuiduo vago*. As for my part, I thanke God, I haue euer giuen good prooffe, that I neuer had intention to the contrary: And I am sure to goe to my graue with that reputation and comfort, that neuer King was in all his time more carefull to haue his Lawes duely obserued, and himselfe to gouerne thereafter, then I.

I conclude then this point touching the power of Kings, with this Axiome of Diuinitie, That as to dispute what God may doe, is Blasphemie; but *quid vult Deus*, that Diuines may lawfully, and doe ordinarily dispute and discusse; for to dispute *A Posse ad Esse* is both against Logicke and Diuinitie: So is it sedition in Subiects, to dispute what a King may do in the height of his power: But iust Kings wil euer be willing to declare what they wil do, if they wil not incurre the curse of God. I wil not be content that my power be disputed vpon: but I shall euer be willing to make the reason appeare of all my doings, and rule my actions according to my Lawes.

The other branch of this incident is concerning the Common Law, being conceiued by some, that I contemned it, and preferred the Ciuil Law thereunto. As I haue already said, Kings Actions (euen in the secretest places) are as the actions of those that are set vpon the Stages, or on the tops of houses: and I hope neuer to speake that in priuate, which I shall not auow in publike, and Print it if need be (as I said in my *BASILICON DORON*.) For it is trew, that within these few dayes I spake freely my minde touching the Common Law in my Priuie Chamber, at the time of my dinner, which is come to all your eares; and the same was likewise related vnto you by my Treasurer, and now I will againe repeate and confirme the same my selfe vnto you. First, as a King I haue least cause of any man to dislike the Common Law: For no Law can bee more fauourable and aduantageous for a King, and extendeth further his Prerogatiue, then it doeth: And for a King of England to despise the Common Law, it is to neglect his owne Crowne. It is trew, that I doe greatly esteeme the Ciuill Law, the profession thereof seruing more for generall learning and being most necessary for matters of Treatie with all forreine Nations: And I thinke that if it should bee taken away, it would make an entrie to Barbarisme in this Kingdome, and would blemish the honour of England: For it is in a maner *LEX GENTIVM*, and maintaineth Intercourse with all forreine Nations: but I onely allow it to haue course here, according to those limits of Iurisdiction, which the Common Law it selfe doeth allow it: And therefore though it bee not fit for the generall gouernment of the people here; it doeth not follow, it should be extinct, no more, then because the Latine tongue is not the Mother or Radicall Language of any Nation in the world at this time, that therefore the English tongue should onely now be learned in this Kingdome, which were to bring in Barbarisme. My meaning therefore is not to preferre the Ciuill Law before the Common Law; but onely that it should not be extinguished, and yet so bounded, (I meane to such Courts and Causes) as haue beene in ancient vse;

As the Ecclesiasticall Courts, Court of Admiraltie, Court of Requests, and such like, reseruing euer to the Common Law to meddle with the fundamentall Lawes of this Kingdome, either concerning the Kings Prerogatiue, or the possessions of Subiects, in any questions, either betweene the King, and any of them, or amongst themselves, in the points of *Meum & tuum*. For it is trew, that there is no Kingdome in the world, not onely Scotland, but not France, nor Spaine, nor any other Kingdome gouerned meerely by the Ciuill Law, but euery one of them hath their owne municipall Lawes agreeable to their Customes, as this Kingdome hath the Common Law: Nay, I am so farre from disallowing the Common Law, as I protest, that if it were in my hand to chuse a new Law for this Kingdome, I would not onely preferre it before any other Nationall Law, but euen before the very Iudiciall Law of *Moyses*: and yet I speake no blasphemie in preferring it for conueniencie to this Kingdome, and at this time, to the very Law of God: For God gouerned his selected people by these three Lawes, *Ceremoniall*, *Morall*, and *Iudiciall*: The *Iudiciall*, being onely fit for a certaine people, and a certaine time, which could not serue for the generall of all other people and times. As for example, If the Law of hanging for Theft, were turned here to restitution of treble or quadruple, as it was in the Law of *Moyses*, what would become of all the middle Shires, and all the Irishrie and Highlanders? But the maine point is, That if the fundamentall Lawes of any Kingdome should be altered, who should discern what is *Meum & tuum*, or how should a King gouerne? It would be like the *Gregorian* Calender, which destroyes the old, and yet doeth this new trouble all the debts and Accompts of Traffiques and Merchandizes: Nay by that accompt I can neuer tell mine owne aage; for now is my Birth-day remooued by the space of ten dayes neerer me then it was before the change. But vpon the other part, though I haue in one point preferred our Common Law, concerning our vse to the very Law of God; yet in another respect I must say, both our Law and all Lawes else are farre inferiour to that Iudiciall Law of God; for no booke nor Law is perfect nor free from corruption, except onely the booke and Law of God. And therefore I could wish some three things specially to be purged & cleared in the Common Law; but alwayes by the aduise of Parliament: For the King with his Parliament here are absolute, (as I vnderstand) in making or forming of any sort of Lawes.

First I could wish that it were written in our vulgar Language: for now it is in an old, mixt, and corrupt Language, onely vnderstood by Lawyers: whereas euery Subiect ought to vnderstand the Law vnder which he liues: For since it is our plea against the Papists, that the language in Gods Seruice ought not to be in an vnknowne tongue, according to the rule in the Law of *Moyses*, That the Law should be written in the fringes of the Priests garment, and should be publicly read in the eares of all the people: so mee thinkes ought our Law to be made as plaine as can be to the people, that the excuse of ignorance may be taken from them, for conforming themselves thereunto.



Next, our Common Law hath not a settled Text in all Cases, being chiefly grounded either vpon old Customes, or else vpon the Reports and Cases of Iudges, which ye call *Responsa Prudentum*. The like whereof is in all other Lawes: for they are much ruled by Presidents (saue onely in *Denmarke* and *Norway*, where the letter of the Law resolves all doubts without any trouble to the Iudge,) But though it be trew, that no Text of Law can be so certaine, wherein the circumstances will not make a variation in the Case, (for in this aage, mens wits increase so much by ciuilitie, that the circumstances of euery particular case varies so much from the general Text of Law, as in the Ciuill Law it selfe, there are therefore so many Doctors that comment vpon the Text, & neuer a one almost agrees with another; Otherwise there needed no Iudges, but the bare letter of the Law.) Yet could I wish that some more certaintie were set downe in this case by Parliament: for since the very Reports themselues are not alwayes so binding, but that diuers times Iudges doe disclaime them, and recede from the iudgment of their predecessors; it were good, that vpon a mature deliberation, the exposition of the Law were set downe by Acte of Parliament, and such reports therein confirmed, as were thought fit to serue for Law in all times hereafter, and so the people should not depend vpon the bare opinions of Iudges, and vncertaine Reports.

And lastly, there be in the Common Law diuers contrary Reports, and Presidents: and this corruption doeth likewise concerne the Statutes and Acts of Parliament, in respect there are diuers crosse and cuffling Statutes, and some so penned, as they may be taken in diuers, yea contrary sences. And therefore would I wish both those Statutes and Reports, aswell in the Parliament as Common Law, to be once maturely reuiewed, and reconciled; And that not onely all contrarieties should be scraped out of our Bookes, but euen that such penall Statutes as were made, but for the vse of the time (from breach whereof no man can be free) which doe not now agree with the condition of this our time, might likewise be left out of our bookes, which vnder a tyrannous or auaritious King could not be endured. And this reformation might (me thinkes) bee made a worthy worke, and well deserues a Parliament to be set of purpose for it.

I know now that being vpon this point of the Common Law, you looke to heare my opinion concerning *Prohibitions*; and I am not ignorant that I haue bene thought to be an enemie to all *Prohibitions*, and an vtter stayer of them: But I will shortly now informe you what hath bene my course in proceeding therein. It is trew that in respect of diuers honorable Courts, and Iurisdictions planted in this Kingdome, I haue often wished that euery Court had his owne trew limit, and iurisdiction clearely set downe, and certainly knowne; which if it be exceeded by any of them, or that any of them encroch one vpon another, then I grant that a *Prohibition* in that case is to goe out of the *Kings Bench*, but chiefliest out of the *Chancery*; for other Benches I am not yet so well resolved of their Iurisdiction in that point. And for my part, I was neuer against *Prohibitions* of this nature, nor the trew vse of them, which is indeede to keepe euery Riuer within

his owne banks and channels. But when I saw the swelling and ouerflowing of *Prohibitions* in a farre greater abundance then euer before, euery Court struing to bring in most moulture to their owne Mill, by multitudes of Causes, which is a disease very naturall to all Courts and Iurisdictions in the world; Then dealt I with this Cause, and that at two seuerall times, once in the middest of Winter, and againe in the middest of the next following Summer; At euery of which times I spent three whole daies in that labour. And then after a large hearing, I told them as *Christ* said concerning Mariage, *Ab initio non fuit sic*. For as God contains the Sea within his owne bounds and marches (as it is in the *Psalmes*.) So is it my office to make euery Court containe himselfe within his own limits; And therefore I gaue admonitions to both sides: To the other Courts, that they should be carefull hereafter euery of them, to containe themselues within the bounds of their owne Iurisdictions; and to the Courts of Common Law, that they should not bee so forward, and prodigall in multiplying their *Prohibitions*. Two cautions I willed them to obserue in graunting their *Prohibitions*: First, that they should be graunted in a right and lawfull forme: And next, that they should not grant them, but vpon a iust and reasonable cause. As to the forme, it was, That none should be graunted by any one particular Iudge, or in time of Vacation, or in any other place, but openly in Court. And to this the Iudges themselues gaue their willing assent. And as to the Cause, That they should not be granted vpon euery sleight surmise, or information of the partie, but alwayes that a due and graue examination should first precede. Otherwise if *Prohibitions* should rashly, and headily be granted, then no man is the more secure of his owne, though hee hath gotten a Sentence with him: For as good haue no Law, or Sentence, as to haue no execution thereof. A poore Minister with much labour and expense, hauing exhausted his poore meanes, and being forced to forbear his studie, and to become *non resident* from his flocke, obtaines a *Sentence*, and then when hee lookes to enioy the fruits thereof, he is defrauded of all by a *Prohibition*, according to the parable of *Christ*, That night when hee thinkes himselfe most happy, shall his soule be taken from him: And so is he tortured like *Tantalus*, who when he hath the Apple at his mouth, and that he is gaping and opening his mouth to receiue it, then must it be pulled from him by a *Prohibition*, and he not suffered to taste thereof. So as to conclude this point, I put a difference betweene the trew vse of *Prohibitions*, and the superabounding abuse thereof: for as a thing which is good, ought not therefore bee abused; so ought not the lawfull vse of a good thing be forborne, because of the abuse thereof.

Now the second generall ground whereof I am to speake, concernes the matter of *Grievances*: There are two speciall causes of the peoples presenting *Grievances* to their King in time of Parliament. First, for that the King cannot at other times be so well informed of all the *Grievances* of his people, as in time of Parliament, which is the representatiue body of the whole Realme. Secondly, the



Parliament is the highest Court of Iustice, and therefore the fittest place where diuers natures of *Grievances* may haue their proper remedie, by the establishment of good and wholesome Lawes. But though my Speech was before directed to the whole Body of Parliament; yet in this case I must addresse my Speech in speciall to you of the Lower House.

I am now then to recommend vnto your considerations the matter and manner of your handling and presenting of *Grievances*. As for the manner, though I will not denie, but that yee, representing the Body of the people, may as it were both *opportunè* and *inopportunè* (I meane either in Parliament as a Body, or out of Parliament as priuate men) present your *Grievances* vnto mee; yet would I haue you to vse this caution in your behaiour in this point: which is, that your *Grievances* be not as it were greedily sought out by you, or taken vp in the streetes (as one said) thereby to shew a willingnesse that you would haue a shew made, that there are many abuses in the gouernment, and many causes of complaint: but that according to your first institution, ye should only meddle with such *Grievances*, as your selues doe know had neede of reformation, or had informations thereof in your countreys for which you serue, and not so to multiply them, as might make it noised amongst the people, that all things in the gouernment were amisse and out of frame: For euen at the beginning of this very Session of Parliament, the generall name of *Grievances* being mentioned among you, such a conceipt came in the heads of many, that you had a desire to multiply and make a great muster of them, as euery one exhibited what his particular spleene stirred him vnto. In deed there fell out an accident vpon this occasion, for which I haue reason to thanke you of the Lower house, I meane for your fire worke, wherein I confesse you did Honour to me, and right to your selues: For hauing one afternoone found many *Grievances* closely presented in papers, and so all thrust vp in sacke together, (rather like *Pasquils*, then any lawfull Complaints) farre against your owne Orders, and diuers of them proceeding from grudging and murmuring spirits; you, vpon the hearing read two or three of the first lines of diuers of them, were not content with a publique consent to comdemne them, and to discharge any further reading of them, but you also made a publique bonfire of them. In this, I say, you shewed your care and ielousie of my Honour, and I sent you thanks for it by the Chancellour of the Exchequer, a member of your owne House, who by your appointment, that same night acquainted me with your proceedings; And by him also I promised at that time, that you should heare more of my thanks for the same at the first occasion; And now I tell you it my selfe, that you may know how kindly I take your duetifull behaiour in this case. But since this was a good effect of an euill cause, I must not omit also to admonish you vpon the other part, to take a course amongst your selues, to preuent the like accident in all times hereafter: otherwise the Lower house may become a place for *Pasquils*, and at another time such *Grievances* may be cast in amongst you, as may conteine Treason or scandal against Me, or my Posterity. Therefore in

this case, looke ouer your ancient Orders, & follow them, and suffer not hereafter any petitions or *Grievances* to be deliuered obscurely or in the darke, but openly and auowedly in your Publique house, and there to be presented to the Speaker. And as to the matter of your *Grievances*, I wish you here now to vnderstand me rightly. And because I see many writing and noting, I will craue your pardons, to holde you a little longer by speaking the more distinctly, for feare of mistaking.

First then, I am not to finde fault that you informe your selues of the particular iust *Grievances* of the people, Nay, I must tell you, ye can neither be iust nor faithfull to me, or to your Countreys that trust and imploy you, if you doe it not: For true Plaints proceede not from the persons imployed, but from the Body represented, which is the people. And it may very well bee, that many Directions and Commissions iustly giuen forth by me, may be abused in the Execution thereof, vpon the people: and yet I neuer to receiue information, except it come by your meanes, at such a time as this is; (as in the case of *Stephen Procter*). But I would wish you to be carefull to auoide three things in the matter of *Grievances*.

First, that you doe not meddle with the maine points of Gouvernment; that is my craft: *tractent fabrilis fabri*; to meddle with that, were to lesson me: I am now an old King; for sixe and thirtie yeeres haue I gouerned in *Scotland* personally, and now haue I accomplished my apprenticeship of seuen yeeres heere; and seuen yeeres is a great time for a Kings experience in Gouvernment: Therefore there would not bee too many *Phormios* to teach *Hannibal*: I must not be taught my Office.

Secondly, I would not haue you meedle with such ancient Rights of mine, as I haue receiued from my Predecessors, possessing them, *More Maiorum*: such things I would bee sorie should bee accounted for *Grievances*. All nouelties are dangerous as well in a politique as in a naturall Body: And therefore I would be loth to be quarrelled in my ancient Rights and possessions: for that were to iudge mee vnworthy of that which my Predecessors had and left me.

And lastly, I pray you beware to exhibit for *Grievance* any thing that is established by a settled Law, and whereunto (as you haue already had a prooffe) you know I will neuer giue a plausible answer: For it is an vndutifull part in Subiects to presse their King, wherein they know beforehand he will refuse them. Now, if any Law or Statute be not conuenient, let it be amended by Parliament, but in the meane time terme it not a *Grievance*: for to be griued with the Law, is to be griued with the King, who is sworne to bee the Patron and maintainer thereof. But as all men are flesh, and may erre in the execution of Lawes; So may ye iustly make a *Grievance* of any abuse of the Law, distinguishing wisely betweene the faults of the person, and the thing it selfe. As for example, Complaints may be made vnto you of the high Commissioners: If so be, trie the abuse, and spare not to complaine vpon it, but say not there shall be no Commission; For that were to abridge the power that is in me: and I will plainely tell you, That something I haue with my selfe resolved annent that point, which I meane euer to keepe,



except I see other great cause: which is, That in regard the high Commission is of so high a nature, from which there is no appellation to any other Court, I haue thought good to restraîne it onely to the two Archbishops, where before it was common amongst a great part of the Bishops in England. This Law I haue set to my selfe, and therefore you may be assured, that I will neuer finde fault with any man, nor thinke him the more Puritane, that will complaine to me out of Parliament, aswell as in Parliament, of any error in execution thereof, so that hee prooue it; Otherwise it were but a calummie. Onely I would bee loath that any man should grieue at the Commission it selfe, as I haue already said. Yee haue heard (I am sure) of the paines I tooke both in the causes of the Admiralty, and of the Prohibitions: If any man therefore will bring me any iust complaints vpon any matters of so high a nature as this is, yee may assure your selues that I will not spare my labour in hearing it. In faith you neuer had a more painefull King, or that will be readier in his person to determine causes that are fit for his hearing. And when euer any of you shall make experience of me in this point, ye may be sure neuer to want accesse, nor ye shall neuer come wrong to me, in, or out of Parliament.

And now to conclude this purpose of *Grievances*, I haue one generall *grievance* to commend vnto you, and that in the behalfe of the Countreys from whence ye come. And this is, to pray you to beware that your *Grievances* sauour not of particular mens thoughts, but of the generall griefes rising out of the mindes of the people, and not out of the humour of the propounder. And therefore I would wish you to take heede carefully, and consider of the partie that propounds the *grievance*: for ye may (if ye list) easily discern whether it bee his owne passion, or the peoples griefe, that makes him to speake: for many a man will in your house propound a *Grievance* out of his owne humour, because (peraduenture) he accounts highly of that matter: and yet the contrey that imployes him, may perhaps either be of a contrary minde, or (at least) little care for it. As for example, I assure you, I can very well smell betweene a Petition that mooues from a generall *Grievance*, or such a one as comes from the spleene of some particular person, either against Ecclesiasticall gouernment in generall, or the person of any one Noble man, or Commissioner in particular.

And now the third point remaines to bee spoken of; which is the cause of my calling of this Parliament. And in this I haue done but as I vse to doe in all my life, which is to leaue mine owne errand hindmost.

It may bee you did wonder that I did not speake vnto you publikely at the beginning of this Session of Parliament, to tell you the cause of your calling, as I did (if I bee rightly remembred) in euery Session before. But the trewth is, that because I call you at this time for my particular Errand, I thought it fitter to bee opened vnto you by my Treasurer, who is my publike and most principall Officer in matters of that nature, then that I should doe it my selfe: for I confesse I am

lesse naturally eloquent, and haue greater cause to distrust mine elocution in matters of this nature, then in any other thing. I haue made my Treasurer already to giue you a very cleere and trew accompt both of my hauing, and expenses: A fauour I confesse, that Kings doe seldome bestow vpon their Subiects, in making them so particularly acquainted with their state. If I had not more then cause, you may be sure I would be loth to trouble you: But what he hath affirmed in this, vpon the honour of a Gentleman, (whom you neuer had cause to distrust for his honestie,) that doe I now confirme and auow to be trew in the word and honour of a King; And therein you are bound to beleue me. Duetie I may iustly claime of you as my Subiects; and one of the branches of duetie which Subiects owe to their Soueraigne, is Supply: but in what quantitie, and at what time, that must come of your loues. I am not now therefore to dispute of a Kings power, but to tell you what I may iustly craue, and expect with your good wills. I was euer against all extremes; and in this case I will likewise wish you to auoyd them on both sides. For if you faile in the one, I might haue great cause to blame you as Parliament men, being called by me for my Errands: And if you fall into the other extreme, by supply of my necessities without respectiue care to auoyd oppression or partialitie in the Leuie, both I and the Countrey will haue cause to blame you.

When I thinke vpon the composition of this body of Parliament, I doe well consider that the Vpper house is composed of the Secular Nobilitie, who are hereditary Lords of Parliament; and of Bishops, that are liue Renter Barons of the same: And therefore what is giuen by the Vpper house, is giuen onely from the trew body of that House, and out of their owne purposes that doe giue it; whereas the Lower house is but the representatiue body of the Commons, and so what you giue, you giue it aswell for others, as for your selues: and therefore you haue the more reason to eschew both the extreames. On the one part, ye may the more easily be liberall, since it comes not all from your selues; and yet vpon the other part, if yee giue more then is fit for good and louing Subiects to yeeld vpon such necessary occasions, yee abuse the King, and hurt the people; And such a gift I will neuer accept: For in such a case you might deceiue a King, in giuing your flattering consent to that which you know might moue the people generally to grudge and murmure at it, and so should the King find himselfe deceiued in his *Calcule*, and the people likewise grieved in their hearts; the loue and possession of which (I protest) I did, and euer will accompt the greatest earthly securitie (next the fauour of God) to any wise or iust King. For though it was vainely saide by one of your House, That yee had need to beware, that by giuing mee too much, your throats were not in danger of cutting at your comming home: yet may ye assure your selues, that I will euer bee lothe to presse you to doe that which may wrong the people, and make you iustly to beare the blame thereof. But that yee may the better be acquainted with my inclination, I will appeale to a number of my Priuie Councill here present, if that before the calling of this Parliament, and



when I found that the necessitie of my estate required so great a supply, they found me more desirous to obtaine that which I was forced to seeke, then carefull that the people might yeeld me a supply in so great a measure as my necessities required, without their too great losse. And you all that are Parliament men, and here present of both Houses can beare me witnesse, if euer I burthened or imployed any of you for any particular Subsidies, or summes by name, further then my laying open the particular necessities of my state, or yet if euer I spake to any Priuie Councillour, or any of my learned Councill, to labour voyces for me to this end; I euer detested the hunting for *Emendicata Suffragia*. A King that will rule and gouerne iustly, must haue regard to Conscience, Honour and Iudgement, in all his great Actions, (as your selfe M. Speaker remembred the other day.) And therefore ye may assure your selues, That I euer limit all my great Actions within that compasse. But as vpon the one side, I doe not desire you should yeeld to that extreame, in giuing me more then (as I said formerly) vpon such necessary occasions are fit for good and louing Subiects to yeeld; For that were to giue me a purse with a knife: So on the other side, I hope you will not make vaine pretences of wants, out of causelesse apprehensions, or idle excuses, neither cloake your owne humours (when your selues are vnwilling) by alledging the pouertie of the people. For although I will be no lesse iust, as a King, to such persons, then any other: (For my Iustice with Gods grace, shalbe alike open to all) yet ye must thinke I haue no reason to thanke them, or gratifie them with any suits or matters of grace, when their errand shall come in my way; And yet no man can say, that euer I quarrelled any man for refusing mee a Subsidie, if hee did it in a moderate fashion, and with good reasons. For him that denies a good Law, I will not spare to quarrell: But for graunting or denying money, it is but an effect of loue: And therefore for the point of my necessities, I onely desire that I be not refused in that which of duety I ought to haue: For I know if it were propounded in the generall amongst you, whether the Kings wants ought to be relieued or not, there is not one of you, that would make question of it. And though in a sort this may seeme to be my particular; yet it can not bee diuided from the generall good of the Common wealth; For the King that is *Parens Patriæ*, telles you of his wants. Nay, *Patria ipsa* by him speakes vnto you. For if the King want, the State wants, and therefore the strengthening of the King is the preseruation and the standing of the State; And woe be to him that diuides the weale of the King from the weale of the Kingdome. And as that King is miserable (how rich soeuer he bee) that raines ouer a poore people, (for the hearts and riches of the people, are the Kings greatest treasure;) So is that Kingdome not able to subsist, how rich and potent soeuer the people be, if their King wants meanes to maintaine his State: for the meanes of your King are the sinewes of the kingdome both in warre and peace: for in peace I must minister iustice vnto you, and in warre I must defend you by Armes: but neither of these can I do without sufficient meanes, which must come from your Aide and Supply. I confesse it is farre against my

nature to be burthensome to my people: for it cannot but grieue me to craue of others, that was borne to be begged of. It is trew, I craue more then euer King of England did; but I haue farre greater and iuster cause and reason to craue, then euer King of England had. And though my Treasurer hath at length declared the reasons vnto you of my necessities, and of a large supply that he craued for the same, wherein he omitted no arguments that can be vsed for that purpose; yet will I my selfe now shortly remember you some of the weightiest reasons that come in my head, to proue the equitie of my demaund.

First, ye all know, that by the accession of more Crownes, which in my Person I haue brought vnto you, my charge must be the greater in all reason: For the greater your King be, both in his dominion and number of Subiects, he cannot but be forced thereby to be at the more charge, and it is the more your honour, so to haue it.

Next, that posteritie and issue which it hath pleased God to send me for your vse, cannot but bring necessarily with it a greater proportion of charge. You all know that the late Queene of famous memory (notwithstanding her orbitie) had much giuen vnto her, and more then euer any of her predecessors had before her.

Thirdly, the time of creation of my Sonne doeth now draw neere, which I chuse for the greater honour to bee done in this time of Parliament. As for him I say no more; the sight of himselfe here speakes for him.

Fourthly, it is trew I haue spent much; but yet if I had spared any of those things, which caused a great part of my expense, I should haue dishonored the kingdome, my selfe, and the late Queene. Should I haue spared the funerall of the late Queene? or the solemnitie of mine and my wiues entrie into this Kingdome, in some honourable sort? or should I haue spared our entrie into *London*, or our Coronation? And when most of the Monarches, and great Princes in Christendome sent their Ambassadors to congratulate my comming hither, and some of them came in person, was I not bound, both for my owne honour, and the honour of the Kingdome, to giue them good entertainment? But in case it might be objected by some, that it is onely vpon occasions of warre, that Kings obtaine great Supplies from their Subiects: notwithstanding my interne Peace, I am yet in a kinde of warre, which if it bee without, the more is your safetie: For (as the Treasurer tolde you at large) I am now forced both in respects of State, and my promise, and for the general cause of Religion, to send a Supply of forces to *Cleues*, and how long that occasion may last, or what greater supply the necessitie of that Errand may draw mee vnto, no man can yet tell. Besides that, although I haue put downe that forme of warlike keeping of *Barwicke*; yet are all those commaunders my pensioners that were the late Queenes souldiers. And I hope I sustaine a prettie Seminarie of Souldiers in my Forts within this Kingdome, besides the two cautionary Townes in the Low-countreys, *Flushing* and *Brill*. And as for *Ireland*, yee all know how vncertaine my charges are euer there, that people being so easily stirred, partly through their barbaritie, and



want of ciuilitie, and partly through their corruption in Religion to breake foorth in rebellions. Yee know, how vnlooked for a Rebellion brake foorth there the last yeere, which could not but put mee to extraordinary charges. Besides I doe maintaine there continually an Armie, which is a goodly Seminarie of expert and old Souldiers. And I dare neuer suffer the same to be diminished, till this Plantation take effect, which (no doubt) is the greatest moate that euer came in the Rebels eyes: and it is to be looked for, that if euer they will bee able to make any stirre, they will presse at it by all meanes, for the preuenting and discouraging this Plantation. Now it is trew, that besides all these honourable and necessary occasions of my charge, I haue spent much in liberalitie: but yet I hope you will consider, that what I haue giuen, hath bene giuen amongst you; and so what comes in from you, goes out againe amongst you. But it may be thought that I haue giuen much amongst Scottishmen. Indeed if I had not beene liberall in rewarding some of my old seruants of that Nation, ye could neuer haue had reason to expect my thankfulness towards any of you that are more lately become my Subiects, if I had beene ingrate to the old: And yet yee will find, that I haue dealt twice as much amongst English men as I haue done to Scottishmen. And therefore he that in your House was not ashamed to affirme, that the siluer and gold did so abound in *Edenburgh*, was very farre mistaken; but I wish him no worse punishment, then that hee should onely liue vpon such profit of the money there. But I hope you will neuer mislike me for my liberalitie, since I can looke very few of you this day in the face, that haue not made suits to mee, at least for some thing, either of honour or profit. It is trew, a Kings liberalitie must neuer be dried vp altogether: for then he can neuer maintaine nor oblige his seruants and well deseruing Subiects: But that vastnesse of my expence is past, which I vsed the first two or three yeeres after my comming hither: And, as I oft vsed to say, that Christmas and open tide is ended: For at my first comming here, partly ignorance of this State (which no man can acquire but by time and experience) and partly the forme of my comming being so honourable and miraculous, enforced me to extend my liberalitie so much the more at the beginning. Ye saw I made Knights then by hundredths, and Barons in great numbers: but I hope you find I doe not so now, nor minde not to doe so hereafter: For to conclude this point anent expences, I hold that a Kings expence must alwayes bee honourable, though not wastefull, and the charges of your King in maintaining those ancient honourable formes of liuing that the former Kings of *England* my Predecessours haue done, and his liuing to bee ruled according to the proportion of his greatnesse, is aswell for the honour of your Kingdome, as of your King. Now this cannot be supplied out of the ayre or liquid elements, but must come from the people. And for removing of that diffidence which men may haue, that I minde not to liue in any wastefull sort hereafter, will you but looke vpon my selfe and my posteritie; and if there were no more but that, it will teach you that if I were but a naturall man, I must needs bee carefull of my expences: For as for my owne person, I hope none

that knowes me well, can thinke me but as little inclined to any prodigall humours of vnnecessary things, as any other reasonable man of a farre meaner estate. Therefore since (as I haue said) I cannot be helped but from the people; I assure my selfe that you will allow mee such measure of Supplie, as the people may beare, and support him with more Honourable meanes then others haue had, that (as I may say without vaunting) hath brought you more Honour then euer you had: For I hope there are no good Subiects either within, or out of the Parliament House, that would not be content for setting streight once and setling the Honourable State of their King, to spare so much euery one of them out of their purses, which peraduenture they would in one night throw away at Dice or Cards, or bestow vpon a horse for their fancies, that might breake his necke or his legge the next morning: Nay I am sure euery good Subiect would rather chuse to liue more sparingly vpon his owne, then that his Kings State should be in want.

For conclusion then of this purpose, I wish you now to put a speedie end to your businesse. Freenesse in giuing graceth the gift, *Bis dat, qui citò dat*; The longer I want helpe, the greater will my debt still rise: and so must I looke for the greater helpes. And now I would pray you to turne your eyes with mee from home, and looke vpon forreine States. Consider that the eyes of all forreine States are vpon this affaيرة, and in expectation what the successe thereof will be; And what can they thinke, if ye depart without relieuing mee in that proportion that make me able to maintaine my State, but that either ye are vnwilling to helpe mee, thinking me vnworthy thereof, or at least that my State is so desperat, as it cannot be repaired, and so that the Parliament parts in disgrace with the King, and the King in distaste with the Parliament, which cannot but weaken my reputation both at home and abroad? For of this you may be assured, that forreine Princes care the more one for an other, if they may haue reason to expect that they may bee able to doe them good or harme in Retribution. And ye know, that if a King fall to be contemned with his neighbours, that cannot but bring an oppression and warre by them vpon him, and then will it be too late to support the King, when the cure is almost desperate. Things foreseeene and preuented, are euer easliest remedied: And therefore I would aduise you now so to settle your businesse, as ye may not take in hand so many things at once, as may both crosse my errand, and euery one of them crosse another. Yee remember the French Prouerbe, *Qui trop embrasse, rien estreint*; We are not in this Parliament to make our Testament, as if wee should neuer meete againe, and that all things that were to be done in any Parliament, were to be done at this time: and yet for filling vp of your vacant houres, I will recommend to your consideration such nature of things, as are to bee specially thought vpon in these times. First I will beginne at GOD: for the beginning with him makes all other actions to bee blessed: And this I meane by the cause of Religion. Next I will speake of some things that concerne the Common-wealth. And thirdly, matters of Pleasure and ornament to the Kingdome.



As for Religion, we haue all great cause to take heed vnto it; Papists are waxed as proud at this time as euer they were, which makes many to think they haue some new plot in hand. And although the poorest sort of them bee (God be thanked) much decreased, yet doeth the greater sort of them dayly increase, especially among the foeminine Sexe; nay they are waxed so proud, that some say, no man dare present them, nor Iudges meddle with them, they are so backed and vpholden by diuers great Courtiers. It is a surer and better way to remooue the materials of fire before they bee kindled, then to quench the fire when once it is kindled.

*Nam leuius lædit quicquid præuidimus antè.*

I doe not meane by this to mooue you to make stronger Lawes then are already made, but see those Lawes may bee well executed that are in force; otherwise they cannot but fall into contempt and become rustie. I neuer found, that blood and too much seueritie did good in matters of Religion: for, besides that it is a sure rule in Diuinitie, that God neuer loues to plant his Church by violence and bloodshed; naturall reason may euen perswade vs, and dayly experience prooues it trew, That when men are seuerely persecuted for Religion, the gallantnesse of many mens spirits, and the wilfulnes of their humours, rather then the iustnesse of the cause, makes them to take a pride boldly to endure any torments, or death it selfe, to gaine thereby the reputation of Martyrdome, though but in a false shadow.

Some doubts haue beene conceiued anent the vsing of the Oath of Allegiance, and that part of the Acte which ordaines the taking thereof, is thought so obscure, that no man can tell who ought to bee pressed therewith. For I my selfe, when vpon a time I called the Iudges before mee at their going to their Circuits, I mooued this question vnto them; wherein, as I thought they could not resolutely answer me: And therefore if there bee any scruple touching the ministring of it, I would wish it now to bee cleared. And since I haue with my owne pen brought the Popes quarell vpon mee, and proclaimed publique defiance to *Babylon* in maintaining it; should it now sleepe, and should I seeme (as it were) to steale from it againe?

As for Recusants, let them bee all duely presented without exception: for in times past there hath beene too great a conniuece, and forbearing of them, especially of great mens wiues, and their kinne and followers. None ought to be spared from being brought vnder the danger of Law, and then it is my part to vse mercie, as I thinke conuenient. To winke at faults, and not to suffer them to bee discouered, is no Honour, nor Mercy in a King, neither is he euer thanked for it; It onely argues his dulnesse: But to forgiue faults after they are confessed, or tried, is Mercie. And now I must turne me in this case to you, my Lords the Bishops, and euen exhort you earnestly, to be more carefull, then you haue bene, that your Officers may more duely present Recusants, then heretofore they haue done, without exception of persons; That although it must be the worke of God

that must make their mindes to bee altered, yet at least by this course they may be stayed from increasing, or insulting vpon vs.

And that yee all may know the trewth of my heart in this case, I diuide all my Subiects that are Papists, into two rankes: either olde Papists, that were so brought vp in times of Poperie, like old Queene *Mary* Priests, and those, that though they bee younger in yeeres, yet haue neuer drunke in other milke, but beene still nusled in that blindness: Or else such as doe become Apostats; hauing once beene of our Profession, and haue forsaken the trewth, either vpon discontent, or practise, or else vpon a light vaine humour of Noueltie, making no more scruple to seeke out new formes of Religion, then if it were but a new forme of Garment, or a new cut or courtsey after the French fashion.

For the former sort, I pitie them; but if they bee good and quiet Subiects, I hate not their persons; and if I were a priuate man, I could well keepe a ciuill friendship and conuersation with some of them: But as for those Apostates, who, I know, must be greatest haters of their owne Sect, I confesse I can neuer shew any fauourable countenance toward them, and they may all of them be sure without exception, that they shall neuer finde any more fauour of mee, further then I must needs in Iustice afford them. And these would I haue the Law to strike seuereliest vpon, and you carefullest to discouer. Yee know there hath beene great stirre kept for begging Concealements these yeeres past; and I pray you, let mee begge this concealment both of the Bishops, and Iudges, That Papists be no longer concealed.

Next, as concerning the Common wealth, I doe speciall recommend vnto you the framing of some new Statute for preseruacion of woods. In the end of the last Session of Parliament, ye had a Bill amongst you of that subiect; but because you found some faults therein, you cast out the whole Bil: But I could haue rather wished that yee had either mended it, or made a new one; For to cast out the whole Bill because of some faults, was euen as if a man, that had a new garment brought him, would chuse rather to go naked, then haue his garment made fit for him: But on my conscience, I cannot imagine why you should so lightly haue esteemed a thing, so necessary for the Common wealth, if it were not out of a litle frowardnesse amongst you at that time, that what I then recommended earnestly vnto you, it was the worse liked of. The maintenance of woods is a thing so necessary for this Kingdome, as it cannot stand, nor be a Kingdome without it: For it concernes you both in your *Esse*, *Bene esse*, and in pleasures. Your *Esse*: for without it you want the vse of one of the most necessarie Elements (which is Fire and fewell to dresse your meate with; for neither can the people liue in these colde Countries, if they want fire altogether, nor yet can you dresse your meate without it; and I thinke you will ill liue like the Cannibals vpon raw flesh: for the education of this people is farre from that. As to your *bene esse*; The decay of woods will necessarily bring the decay of Shipping, which both is the security of this Kingdome; since God hath by nature made the Sea to bee the wall of this



Iland; and the rather now, since God hath vnited it all in my Person and Crowne; As also by the decay of Shipping will you loose both all your forraine commodities that are fit for this contrey, and the venting of our owne, which is the losse of Trade, that is a maine pillar of this Kingdome. And as for Pleasure, yee know my delight in Hunting and Hawking, and many of your selues are of the same minde; and all this must needes decay, by the decay of Woods: Ye haue reason therefore to prouide a good Law vpon this Subiect.

Now as to the last point concerning matters of Pleasure, it consists in the perseruing of Game, which is now almost vtterly destroyed through all the Kingdome. And if you offer not now a better Law for this, then was made in the last Session of Parliament, I will neuer thanke you for it: For as for your Law anent Partridge and Phesant, you haue giuen leaue to euery man how poore a Farmour that euer hee bee, to take and destroy them in his owne ground how he list. But I pray you, how can the Game bee maintained, if Gentlemen that haue great Lordships shall breed and preserue them there, and so soone as euer they shall but flie ouer the hedge and light in a poore fellowes Close, they shall all be destroyed? Surely I know no remedie for perseruing the Game that breedes in my grounds, except I cast a rooffe ouer all the ground, or else put veruels to the Partridges feet with my Armes vpon them, as my Hawkes haue: otherwise I know not how they shall bee knowen to be the Kings Partridges, when they light in a Farmours Close.

And by your Lawe against stealing of Deere or Conies, after a long discourse and prohibition of stealing them, you conclude in the end with a restriction, that all this punishment shall bee vnderstood to bee vsed against them that steale the Game in the night: Which hath much encouraged all the looser sort of people, that it was no fault to steale Deere, for they doe it not like theeues in the night. As was that Law of the *Lacedemonians* against theft, that did not forbid theft, but onely taught them to doe it cunningly, and without discouerie: Whereupon a foolish boy suffered a Foxe to gnaw his heart through his breast. And this doctrine is like that Lesson of the Cannon Law, *Si non castè, tamen cautè*. I knowe you thinke that I speake partially in this case like a Hunter; But there is neuer a one of you that heares mee, that cares the least for the sport, for perseruation of the Game, but he would be as glad to haue a pastie of Venison if you might get it, as the best Hunter would: And if the Game be not preserued, you can eate no Venison. As for Partridge and Phesant, I doe not denie that Gentlemen should haue their sport, and specially vpon their owne ground. But first I doe not thinke such Game and pleasures should be free to base people. And next I would euen wish that Gentlemen should vse it in a Gentlemanlike fashion, and not with Nets, or Gunnes, or such other vngentlemanlike fashions that serue but for vtter destruction of all Game, nor yet to kill them at vnseasonable times, as to kill the Phesant and Partridges when they are no bigger then Mice, when as for euer one their Hawkes kill, ten will be destroyed with their Dogs and Horse feet; besides the great and intolerable harme they doe to Corne in that season.

And now in the end of all this faschious Speech, I must conclude like a Grey Frier, in speaking for my selfe at last. At the beginning of this Session of Parliament, when the Treasurer opened my necessities vnto you, then my Purse onely laboured; But now that word is spread both at home and abroad of the demaunds I haue made vnto you; my Reputation laboureth aswell as my Purse: For if you part without the repairing of my State in some reasonable sort, what can the world thinke, but that the euill will my Subiects beare vnto mee, hath bred a refuse? And yee can neuer part so, without apprehending that I am distasted with your behauour, and yet to be in feare of my displeasure. But I assure and promise my selfe farre otherwise.

Thus haue I now performed my promise, in presenting vnto you the Christall of your Kings heart.

Yee know that principally by three wayes yee may wrong a Mirrour.

First, I pray you, looke not vpon my Mirrour with a false light: which yee doe, if ye mistake, or mis-vnderstand my Speech, and so alter the sence thereof.

But secondly, I pray you beware to soile it with a foule breath, and vncleane hands: I meane, that yee peruert not my words by any corrupt affections, turning them to an ill meaning, like one, who when hee heares the tolling of a Bell, fancies to himselfe, that it speakes those words which are most in his minde.

And lastly, (which is worst of all) beware to let it fall or breake: (for glasse is brittle) which ye doe, if ye lightly esteeme it, and by contemning it, conforme not your selues to my perswasions.

To conclude then: As all these three days of *Iubile* haue fallen in the midst of this season of penitence, wherein you haue presented your thanks to me, and I the like againe to you: So doe I wish and hope, that the end of this Parliament will bee such, as wee may all haue cause (both I your Head, and yee the Body) to ioyne in Eucharisticke Thanks and Praises vnto God, for our so good and happie an end.



## A SPEACH IN THE STARRE-CHAMBER,

THE XX. OF JUNE. ANNO 1616.

**G**IVE THY IVDGEMENTS TO THE KING, O GOD, AND THY RIGHTEOVSNES TO  
THE KINGS SONNE.

These be the first words of one of the Psalmes of the Kingly Prophet *David*, whereof the literall sense runnes vpon him, and his sonne *Salomon*, and the mysticall sense vpon GOD and CHRIST his eternall Sonne: but they are both so wouen together, as some parts are, and can onely bee properly applied vnto GOD and CHRIST, and other parts vnto *David* and *Salomon*, as this Verse, *Giue thy Iudgements to the King, O God, and thy Righteousnesse to the Kings Sonne*, cannot be properly spoken of any, but of *David* and his sonne; because it is said, *Giue thy Iudgements, &c.* Now God cannot giue to himselfe. In another part of the same Psalm, where it is said, that *Righteousness shall flourish, and abundance of Peace, as long as the Moone endureth*, it signifieth eternitie, and cannot be properly applied but to GOD and CHRIST: But both senses, aswell literall as mysticall, serue to Kings for imitation, and especially to Christian Kings: for Kings sit in the Throne of GOD, and they themselues are called Gods.

And therefore all good Kings in their gouernment, must imitate GOD and his Christ, in being iust and righteous; *David* and *Salomon*, in being godly and wise: To be wise, is vnderstood, able to discerne, able to iudge others: To be godly is, that the fountaine be pure whence the streames proceed: for what auails it though all his workes be godly, if they proceed not from godlinesse: To bee righteous, is to a mans selfe: To bee iust, is towards others. But Iustice in a King auails not, vnlesse it be with a cleane heart: for except he bee Righteous aswell as Iust, he is no good King; and whatsoever iustice he doeth; except he doeth it for Iustice sake, and out of the purenesse of his owne heart, neither from priuate ends, vaine-glory, or any other by-respects of his owne, all such Iustice is vn-righteousnesse, and no trew Iustice. From this imitation of GOD and CHRIST, in whose Throne wee sit, the gouernment of all Common-wealths, and especially Monarchies, hath bene from the beginning setled and established. Kings are properly Iudges, and Iudgement properly belongs to them from GOD: for Kings sit in the Throne of GOD, and thence all Iudgement is deriued.

In all well setled Monarchies, where Law is established formerly and orderly, there Iudgement is deferred from the King to his subordinate Magistrates; not that the King takes it from himselfe, but giues it vnto them: So it comes not to them *Priatiuè*, but *cumulatiuè*, as the Shoolemen speake. The ground is ancient, euer sithence that Counsell which *Iethro* gaue to *Moses*: for after that *Moses* had

gouerned a long time, in his owne person, the burthen grew so great, hauing none to helpe him, as his father in law comming to visite him, found him so cumbred with ministring of Iustice, that neither the people were satisfied, not he well able to performe it; Therefore by his aduice, Iudges were deputed for easier questions, and the greater and more profound were left to *Moses*: And according to this establishment, all Kings that haue had a formall gouernement, especially Christian Kings in all aages haue gouerned their people, though after a diuers maner.

This Deputation is after one manner in *France*, after another here, and euen my owne Kingdomes differ in this point of gouernment: for *Scotland* differs both from *France* and *England* herein; but all agree in this, (I speake of such Kingdomes or States where the formalitie of Law hath place) that the King that sits in Gods Throne, onely deutes subalterne Iudges, and he deutes not one but a number (for no one subalterne Iudges mouth makes Law) and their office is to interpret Law, and administer Iustice. But as to the number of them, the forme of gouernement, the maner of interpretation, the distinction of Benches, the diuersitie of Courts; these varie according to the varietie of gouernment, and institution of diuers Kings: So this ground I lay, that the seate of Iudgement is properly Gods, and Kings are Gods Vicegerents; and by Kings Iudges are deputed vnder them, to beare the burden of gouernement, according to the first example of *Moses* by the aduice of *Iethro*, and sithence practised by *Dauid* and *Salomon*, the wisest Kings that euer were; which is in this Psalme so interlaced, that as the first verse cannot be applied properly but to *Dauid* and *Salomon*, in the words, *Giue thy Iudgments to the King*, &c. So the other place in the same Psalm *Righteousness shall flourish, and abundance of peace shall remaine as long as the Moone endureth*, properly signifieth the eternitie of CHRIST. This I speake, to shew what a neere coniunction there is betweene God and the King vpward, and the King and his Iudges downewards: for the same coniunction that is betweene God and the King vpward; the same coniunction is betweene the King and his Iudges downewards.

As Kings borrow their power from God, so Iudges from Kings: And as Kings are to accompt to God, so Iudges vnto God and Kings; and both Kings and Iudges by imitation, haue two qualities from God and his Christ, and two qualities from *Dauid* and his *Salomon*: Iudgement and Righteousnesse, from God and Christ: Godlinesse and Wisedome from *Dauid* and *Salomon*. And as no King can discharge his accompt to God, vnlesse he make conscience not to alter, but to declare and establish the will of God: So Iudges cannot discharge their accompts to Kings, vnlesse they take the like care, not to take vpon them to make Law, but ioyned together after a deliberate consultation, to declare what the Law is; For as Kings are subiect vnto Gods Law, so they to mans Law. It is the Kings Office to protect and settle the trew interpretation of the Law of God within his Dominions: And it is the Iudges Office to interpret the Law of the King, whereto themselues are also subiect.



Hauing now perfourmed this ancient Prouerbe, *A Ioue principium*; which though it was spoken by a Pagan, yet it is good and holy: I am now to come to my particular Errand, for which I am heere this day; wherein I must handle two parts: First, the reason why I haue not these fourteene yeeres, sithence my Coronation vntill now, satisfied a great many of my louing subiects, who I know haue had a great expectation, and as it were a longing, like them that are with child, to heare mee speake in this place, where my Predecessors haue often sitten, and especially King *Henry* the seuenth, from whom, as diuers wayes before, I am lineally descended, and that doubly to this Crowne; and as I am nearest descended of him, so doe I desire to follow him in his best actions.

The next part is the reason, Why I am now come: The cause that made mee abstaine, was this: When I came into *England*, although I was an old King, past middle aage, and practised in gouernment euer sithence I was twelue yeeres olde; yet being heere a stranger in gouernement, though not in blood, because my breeding was in another Kingdome; I resolued therefore with *Pythagoras* to keepe silence seuen yeeres, and learne my selfe the Lawes of this Kingdome, before I would take vpon mee to teach them vnto others: When this Apprentiship was ended, then another impediment came, which was in the choice of that cause, that should first bring me hither. I expected some great cause to make my first entry vpon: For I thought that hauing abstained so long, it should be a worthy matter that should bring mee hither. Now euery cause must be great or small: In small causes I thought it disgracefull to come, hauing beene so long absent: In great causes, they must be either betwixt the King and some of his Subiects, or betwixt Subiect and Subiect.

In a cause where my selfe was concerned, I was loath to come, because men should not thinke I did come for my owne priuate, either Prerogatiue or profit; or for any other by-respect: And in that case I will alwayes abide the triall of men and Angels, neuer to haue had any particular end, in that which is the Maine of all things, *Iustice*.

In a great cause also betweene partie and partie, great in respect either of the question, or value of the thing, my comming might seeme, as it were obliquely, to be in fauour of one partie, and for that cause this Counsellour, or that Courtier might be thought to mooue me to come hither; And a meane cause was not worthy of mee, especially for my first entrance: So lacke of choice in both respects kept mee off till now: And now hauing passed a double apprentiship of twice seuen yeeres, I am come hither to speake vnto you. And next as to the reasons of my comming at this time, they are these.

I haue obserued in the time of my whole Reigne here, and my double Apprentiship, diuers things fallen out in the Iudicatures here at *Westminster* Hall, that I thought required and vrged a reformation at my hands; whereupon I resolued with my selfe, that I could not more fitly begin a reformation, then here to make an open declaration of my meaning. I remember Christs saying, *My sheepe heare*

*my voyce*, and so I assure my selfe, my people will most willingly heare the voyce of me, their owne Shepheard and King; whereupon I tooke this occasion in mine owne person here in this Seate of Iudgement, not iudicially, but declaratorily and openly to giue those directions, which, at other times, by piece-meale, I haue deliuered to some of you in diuers lesse publike places; but now will put it vp in all your audience, where I hope it shall bee trewly carried, and cannot be mistaken, as it might haue bene when it was spoken more priuately: I will for order sake take mee to the methode of the number of Three, the number of perfection, and vpon that number distribute all I haue to declare to you.

First, I am to giue a charge to my selfe: for a King, or Iudge vnder a King, that first giues not a good charge to himselfe, will neuer be able to giue a good charge to his inferiours; for as I haue said, Good riuers cannot flow but from good springs; if the fountaine be impure, so must the riuers be.

Secondly, to the Iudges: And thirdly, to the Auditory, and the rest of the inferiour ministers of Iustice.

First, I protest to you all, in all your audience, heere sitting in the seate of Iustice, belonging vnto God, and now by right fallen vnto mee, that I haue resolved, as Confirmation in Maioritie followeth Baptisme in minoritie; so now after many yeeres, to renew my promise and Oath made at my Coronation concerning Iustice, and the promise therein for maintenance of the Law of the Land. And I protest in Gods presence, my care hath euer beene to keepe my conscience cleare in all the points of my Oath, taken at my Coronation, so farre as humane frailtie may permit mee, or my knowledge enforme mee, I speake in point of Iustice and Law; For Religion, I hope I am reasonably well knownen already: I meane therefore of Lawe and Iustice; and for Law, I meane the Common Law of the Land, according to which the King gouernes, and by which the people are gouerned. For the Common Law, you can all beare mee witnesse, I neuer pressed alteration of it in Parliament; but on the contrary, when I endeauoured most an Vnion reall, as was already in my person, my desire was to conforme the Lawes of *Scotland* to the Law of *England*, and not the Law of *England* to the Law of *Scotland*; and so the prophecie to be trew of my wise Grandfather *Henry* the seuenth, who foretold that the lesser Kingdome by marriage, would follow the greater, and not the greater the lesser; And therefore married his eldest daughter *Margaret* to *James* the fourth, my great Grandfather.

It was a foolish Querke of some Iudges, who held that the Parliament of *England*, could not vnite *Scotland* and *England* by the name of *Great Britaine*, but that it would make an alteration of the Lawes, though I am since come to that knowledge, that an Acte of Parliament can doe greater wonders: And that old wise man the Treasurer *Burghley* was wont to say, Hee knew not what an Acte of Parliament could not doe in *England*; For my intention was alwayes to effect vnion by vniting *Scotland* to *England*, and not *England* to *Scotland*: For I euer meant,



being euer resolved, that this Law should continue in this Kingdome, and two things mooued mee thereunto; One is, that in matter of Policie and State, you shall neuer see any thing anciently and maturely established, but by Innouation or alteration it is worse then it was, I meane not by purging of it from corruptions, and restoring it to the ancient integritie; Another reason was, I was sworne to maintaine the Law of the Land, and therefore I had beene periured if I had altered it; And this I speake to root out the conceit and misapprehension, if it be in any heart, that I would change, damnifie, vilifie or suppress the Law of this Land: GOD is my Iudge I neuer meant it; And this confirmation I make before you all.

To this I ioyn the point of Iustice, which I call *Vnicuique suum tribuere*. All my Councell, and Iudges dead and alieue, can, and could beare mee witnesse, how vnpartiall I haue beene in declaring of Law. And where it hath concerned mee in my owne inheritance, I haue as willingly submitted my interest to the Lawe, as any my Subiects could doe; and it becomes mee so to doe, to giue example to others: much lesse then will I be partiall to others, where I am not to my selfe. And so resolute your selues, Iustice with mee may bee moderated in point of clemencie: for no Iustice can be without mercie. But in matters of Iustice to giue euery man his owne, to be blinde without eyes of partialitie; This is my full resolution.

I vsed to say when I was in *Scotland*, if any man mooued mee to delay Iustice, that it was against the Office of a King so to doe; But when any made suite to hasten Iustice, I told them I had rather grant fourtie of these suits, then one of the other: This was alwayes my custome and shall be euer, with Gods leaue.

Now what I haue spoken of Law and Iustice, I meane by the Lawe kept in her owne bounds: For I vnderstand the inheritance of the King, and Subiects in this land, must bee determined by the Common Law, &c; and that is, by the Law set downe in our forefathers time, expounded by learned men diuers times after in the declaratory Comments, called *Responsa Prudentum*; Or else by Statute Law set downe by Acte of Parliament, as occasion serues: By this I doe not seclude all other Lawes of *England*; but this is the Law of inheritance in this Kingdome.

There is another Law, of all Lawes free and supream, which is GODS LAW: And by this all Common and municipall Lawes must be gouerned: And except they haue dependance vpon this Law, they are vniust and unlawfull.

When I speake of that Law, I onely giue this touch, That that Law in this Kingdome hath beene too much neglected, and Churchmen too much had in contempt; I must speake trewth, Great men, Lords, Iudges, and people of all degrees from the highest to the lowest, haue too much contemned them: And God will not blesse vs in our owne Lawes, if wee doe not reuerence and obey GODS LAW; which cannot bee, except the interpreters of it be respected and reuerenced.

And it is a signe of the latter dayes drawing on; euen the contempt of the Church, and of the Gouvernours and Teachers thereof now in the Church of *ENGLAND*, which I say in my Conscience, of any Church that euer I read or knew of,

present or past, is most pure, and neerest the Primitiue and Apostolicall Church in Doctrine and Discipline, and is sureliest founded vpon the word of God, of any Church in Christendome.

Next vnto this Law is the Law of Nations, which God forbid should bee barred, and that for two causes: One, because it is a Law to satisfie Strangers, which will not so well hold themselues satisfied with other municipall Lawes: Another, to satisfie our owne Subiects in matters of Piracie, Marriage, Wills, and things of like nature: That Law I diuide into Ciuil and Canon; And this Law hath bene so much encroched vpon, sithence my comming to the Crowne, and so had in contempt, that young men are discouraged from studying, and the rest wearie of their liues that doe professe it, and would be glad to seeke any other craft.

So, speaking of the Common Law, I meane the Common Law kept within her owne limits, and not derogating from these other Lawes, which by longer custome haue beene rooted here; first, the Law of God and his Church; and next, the Law Ciuill and Canon, which in many cases cannot be wanting.

To conclude this charge which I giue my selfe, I professe to maintaine all the points of mine Oath, especially in Lawes, and of Lawes, especially the Common Law.

And as to maintaine it, so to purge it; for else it cannot bee maintained: and especially to purge it from two corruptions, Incertaintie and Noueltie: Incertaintie is found in the Law it selfe, wherein I will bee painefull to cleare it to the people; and this is properly to bee done in Parliament by aduice of the Iudges.

The other corruption is introduced by the Iudges themselues, by Nicities that are vsed, where it may be said, *Ab initio non fuit sic*.

Nothing in the world is more likely to be permanent to our eyes then yron or steele, yet the rust corrupts it, if it bee not kept cleane: which sheweth, nothing is permanent here in this world, if it be not purged; So I cannot discharge my conscience in maintaining the Lawes, if I keepe them, not cleane from corruption.

And now that I may bee like the Pastor, that first takes the Sacrament himselfe, and then giues it to the people: So I haue first taken my owne charge vpon me, before I giue you your Charge, lest it might be said,

*Turpe est doctori, cum culpa redarguit ipsum.*

Now my Lords the Iudges for your parts, the Charge I haue to giue you, consists likewise in three parts.

First in generall, that you doe Iustice vprightly, as you shall answere to God and mee: For as I haue onely God to answere to, and to expect punishment at his hands, if I offend; So you are to answere both to God and to mee, and expect punishment at Gods hands and mine, if you be found in fault.

Secondly, to doe Iustice indifferently betweene Subiect and Subiect, betweene King and Subiect, without delay, partialitie, feare or bribery, with stout and vpright hearts, with cleane and vncorrupt hands.



When I bid you doe Iustice boldly, yet I bid you doe it fearefully; fearefully in this, to vtter your owne conceites, and not the trew meaning of the Law: And remember you are no makers of Law, but Interpretours of Law, according to the trew sence thereof; for your Office is *Ius dicere*, and not *Ius dare*: And that you are so farre from making Law, that euen in the higher house of Parliament, you haue no voyce in making of a Law, but onely to giue your aduice when you are required.

And though the Laws be in many places obscure, and not so wel known to the multitude as to you; and that there are many parts that come not into ordinary practice, which are known to you, because you can finde out the reason thereof by bookes and presidents; yet know this, that your interpretations must be alwayes subiect to common sense and reason.

For I will neuer trust any Interpretation, that agreeth not with my common sense and reason, and trew Logicke: for *Ratio est anima Legis* in all humane Lawes, without exception; it must not be Sophistrie or straines of wit that must interpret, but either cleare Law, or solide reason.

But in Countreys where the formalitie of Law hath no place, as in *Denmarke*, which I may trewly report, as hauing my selfe beene an eye-witnesse thereof; all their State is gouerned onely by a written Law; there is no Aduocate or Proctour admitted to plead, onely the parties themselues plead their owne cause, and then a man stands vp and reads the Law, and there is an end, for the very Law-booke it selfe is their onely Iudge. Happy were all Kingdomes if they could be so: But heere, curious wits, various conceits, different actions, and varietie of examples breed questions in Law: And therefore when you heare the questions if they be plaine, there is a plaine way in it selfe; if they be such as are not plaine (for mens inuentions dayly abound) then are you to interpret according to common sense, and draw a good and certaine *Minor* of naturall reason, out of the *Maior* of direct Lawe, and thereupon to make a right and trew *Conclusion*.

For though the Common Law be a mystery and skill best known vnto your selues, yet if your interpretation be such, as other men which haue Logicke and common sense vnderstand not the reason, I will neuer trust such an Interpretation.

Remember also you are Iudges, and not a Iudge, and diuided into Benches, which sheweth that what you doe, that you should doe with aduice and deliberation, not hastily and rashly, before you well study the case, and conferre together; debating it duely, not giuing single opinions, *per emendicata suffragia*; and so to giue your Iudgement, as you will answer to God and me.

Now hauing spoken of your Office in generall, I am next to come to the limits wherein you are to bound your selues, which likewise are three. First, Incroach not vpon the Prerogatiue of the Crowne: If there fall out a question that concernes my Prerogatiue or mystery of State, deale not with it, till you consult with the King or his Councill, or both: for they are transcendent matters, and must not be sliberely caried with ouer-rash wilfulnesse; for so may you wound the King

through the sides of a priuate person: and this I commend vnto your speciall care, as some of you of late haue done very well, to blunt the sharpe edge and vaine popular humour of some Lawyers at the Barre, that thinke they are not eloquent and bold spirited enough, except they meddle with the Kings Prerogatiue: But doe not you suffer this; for certainly if this liberty be suffered, the Kings Prerogatiue, the Crowne, and I, shall bee as much wounded by their pleading, as if you resolued what they disputed: That which concernes the mysterie of the Kings power, is not lawfull to be disputed; for that is to wade into the weaknesse of Princes, and to take away the mysticall reuerence, that belongs vnto them that sit in the Throne of God.

Secondly, That you keepe your selues within your owne Benches, not to inuade other Iurisdiccions, which is vnfit, and an vnlawful thing; In this I must inlarge my selfe. Besides the Courts of Common Law, there is the Court of Requests; the Admiraltie Court; the Court of the President and Councill of Wales, the President and Councill of the North; High Commission Courts, euery Bishop in his owne Court.

These Courts ought to keepe their owne limits and boundes of their Commission and Instructions, according to the ancient Presidents: And like as I declare that my pleasure is, that euery of these shall keepe their owne limits and boundes; So the Courts of Common Lawe are not to encroach vpon them, no more then it is my pleasure that they should encroach vpon the Common Law. And this is a thing Regall, and proper to a King, to keepe euery Court within his owne bounds.

In *Westminster* Hall there are foure Courts: Two that handle causes Ciuill, which are the Common-pleas, and the Exchequer: Two that determine causes Criminall, which are the Kings-Bench, and the Starre-Chamber, where now I sit. The Common-Pleas is a part and branch of the Kings-Bench; for it was first all one Court; and then the Common-Pleas being extracted, it was called Common-Pleas; because it medled with the Pleas of Priuate persons, and that which remained, the King-Bench. The other of the Courts for ciuill Causes, is the Exchequer, which was ordeined for the Kings Reuenue: That is the principall Institution of that Court, and ought to be their chiefe studie; and as other things come orderly thither by occasion of the former, they may be handled, and Iustice there administred.

Keepe you therefore all in your owne bounds, and for my part, I desire you to giue me no more right in my priuate Prerogatiue, then you giue to any Subiect; and therein I will be acquiescent: As for the absolute Prerogatiue of the Crowne, that is no Subiect for the tongue of a Lawyer, nor is lawfull to be disputed.

It is Athiesme and blasphemie to dispute what God can doe: good Christians ← content themselues with his will reuealed in his word. so, it is presumption and high contempt in a Subiect, to dispute what a King can doe, or say that a King cannot doe this, or that; but rest in that which is the Kings reuealed will in his Law.



The Kings-Bench is the principall Court for criminall causes, and in some respects it deales with Ciuill causes.

Then is there a Chancerie Court; this is a Court of Equitie, and hath power to deale likewise in Ciuill causes: It is called the dispenser of the Kings Conscience, following alwayes the intention of Law and Iustice; not altering the Law, not making that blacke which other Courts made white, nor *è conuerso*; But in this it exceeds other Courts, mixing Mercie with Iustice, where other Courts proceed onely according to the strict rules of Law: And where the rigour of the Law in many cases will vndoe a Subiect, there the Chancerie tempers the Law with equitie, and so mixeth Mercy with Iustice, as it preserues men from destruction.

And thus (as before I told you) is the Kings Throne established by Mercy and Iustice.

The Chancerie is vndependant of any other Court, and is onely vnder the King: There it is written *Teste meipso*; from that Court there is no Appeale. And as I am bound in my Conscience to maintaine euery Courts Iurisdiction, so especially this, and not suffer it to sustaine wrong yet so to maintaine it, as to keepe it within the owne limits, and free from corruption. My Chancellour that now is, I found him Keeper of the Seale, the same place in substance, although I gaue him the Stile of Chancellour, and God hath kept him in it till now; and I pray God he may hold it long; and so I hope he will. He will beare mee witnesse, I neuer gaue him other warrant, then to goe on in his Court according to Presidents, warranted by Law in the time of the best gouerning Kings, and most learned Chancellours: These were the limits I gaue vnto him; beyond the same limits he hath promised me he will neuer goe.

And as he hath promised me to take no other Iurisdiction to himselfe, so is it my promise euer to maintaine this Iurisdiction in that Court: Therefore I speake this to vindicate that Court from misconceit and contempt.

It is the duetie of Iudges to punish those that seeke to depraue the proceedings of any the Kings Courts, and not to encourage them any way: And I must confesse I thought it an odious and inept speach, and it griued me very much, that it should be said in *Westminster Hall*, that a *Premunire* lay against the Court of the Chancery and Officers there: How can the King grant a *Premunire* against himselfe?

It was a foolish, inept, and presumptuous attempt, and fitter for the time of some vnworthy King: vnderstand mee aright; I meane not, the Chancerie should exceed his limite; but on the other part, the King onely is to correct it, and none else: And therefore I was greatly abused in that attempt: For if any was wronged there, the complaint should haue come to mee. None of you but will confesse you haue a King of reasonable vnderstanding, and willing to reforme; why then should you spare to complaine to me, that being the high way, and not goe the other way, and backe-way, in contempt of our Authoritie?

And therefore sitting heere in a seat of Iudgement, I declare and command, that no man hereafter presume to sue a *Premunire* against the Chancery; which I may the more easily doe, because no *Premunire* can be sued but at my Suit: And I may iustly barre my selfe at mine owne pleasure.

As all inundations come with ouerflowing the bankes, and neuer come without great inconuenience, and are thought prodigious by Astrologers in things to come: So is this ouerflowing the bankes of your Iurisdiction in it selfe inconuenient, and may proue prodigious to the State.

Remember therefore, that hereafter you keepe within your limits and Iuridictions. It is a speciall point of my Office to procure and command, that amongst Courts there bee a concordance, and musicall accord; and it is your parts to obey, and see this kept: And, as you are to obserue the ancient Lawes and customes of *England*; so are you to keepe your selues within the bound of direct Law, or Presidents; and of those, not euery snatched President, carped now here, now there, as it were running by the way; but such as haue neuer bene controuerted, but by the contrary, approued by common vsage, in times of best Kings, and by most learned Iudges.

The *Starre-Chamber* Court hath bene likewise shaken of late, and the last yeere it had receiued a sore blow, if it had not bene assisted and caried by a few voyces; The very name of *Starre-Chamber*, seemeth to procure a reuerence to the Court.

I will not play the Criticke to descant on the name; It hath a name from heauen, a *Starre* placed in it; and a *Starre* is a glorious creature, and seated in a glorious place, next vnto the Angels. The *Starre-Chamber* is also glorious in substance: for in the composition, it is of foure sorts of persons: The first two are Priuie Counsellours and Iudges, the one by wisdom in matters of State; the other, by learning in matters of Law, to direct and order all things both according to Law and State: The other two sorts are Peeres of the Realme, and Bishops: The Peeres are there by reason of their greatnesse, to giue authority to that Court: The Bishops because of their learning in Diuinitie, and the interest they haue in the good gouernment of the Church: And so, both the learning of both Diuine and humane Law, and experience and practise in Gouernment, are conioyned together in the proceedings of this Court.

There is no Kingdome but hath a Court of Equitie, either by it selfe, as is heere in *England*, or else mixed, and incorporate in their Office that are Iudges in the Law, as it is in *Scotland*: But the order of *England* is much more perfect, where they are diuided. And as in case of Equitie, where the Law determines not clearly, there the Chancerie doeth determine, hauing Equitie belonging to it, which doeth belong to no other Court: So the *Starre-Chamber* hath that belonging to it, which belongs to no other Court: For in this Court Attempts are punishable, where other Courts punish onely facts; And also where the Law punisheth facts easily, as in case of Riots or Combates, there the *Starre-Chamber* punisheth in a higher degree; And also all combinations of practises and con-



spiracies; And if the King be dishonoured or contemned in his Prerogatiue, it belongeth most properly to the Peeres and Iudges of this Court to punish it: So then this Court being instituted for so great causes, it is great reason it should haue great honour.

Remember now how I haue taught you brotherly loue one toward another: For you know well, that as you are Iudges, you are all brethren, and your Courts are sisters. I pray you therefore, labour to keepe that sweete harmonie, which is amongst those sisters the *Muses*. What greater miserie can there bee to the Law, then contempt of the Law? and what readier way to contempt, then when questions come, what shall bee determined in this Court, and what in that? Whereupon two euils doe arise; The one, that men come not now to Courts of iustice, to heare matters of right pleaded, and Decrees giuen accordingly, but onely out of a curiositie, to heare questions of the Iurisdictions of Courts disputed, and to see the euent, what Court is like to preuaile aboue the other; And the other is, that the Pleas are turned from Court to Court in an endlesse circular motion, as vpon *Ixions* wheele: And this was the reason why I found iust fault with that multitude of Prohibitions: For when a poore Minister had with long labour, and great expence of charge and time, gotten a sentence for his Tithes, then comes a Prohibition, and turnes him round from Court to Court, and so makes his cause immortall and endlesse: for by this vncertaintie of Iurisdiction amongst Courts, causes are scourged from Court to Court, and this makes the fruit of Suits like *Tantalus* fruite, still neere the Suiters lips, but can neuer come to taste it. And this in deed is a great delay of Iustice, and makes causes endlesse: Therefore the onely way to auoyd this, is for you to keepe your owne bounds, and nourish not the people in contempt of other Courts, but teach them reuerence to Courts in your publike speaches, both in your Benches, and in your Circuits; so shall you bring them to a reuerence, both of GOD, and of the King.

Keepe therefore your owne limits towards the King, towards other Courts, and towards other Lawes, bounding your selues within your owne Law, and make not new Law. Remember, as I said before, that you are Iudges, to declare, and not to make Law: For when you make a Decree neuer heard of before, you are Law-giuers, and not Law-tellers.

I haue laboured to gather some Articles, like an *Index expurgatorius*, of nouelties new crept into the Law, and I haue it ready to bee considered of: Looke to *Plowdens* Cases, and your old *Responsa prudentum*; if you finde it not there, then (*ab initio non fuit sic*) I must say with CHRIST, Away with the new polygamie, and maintaine the ancient Law pure and vndefiled, as it was before.

To the Auditory I haue but little to say, yet that little will not bee ill bestowed to be said at this time.

Since I haue now renewed and confirmed my resolution to maintaine my Oath, the Law and Iustice of the Land; So doe I expect, that you my Subiects doe submit your selues as you ought, to the obseruance of that Law.

And as I haue diuided the two former parts of my Charge; So will I diuide this your submission into three parts; for orderly diuisions and methode, cause things better to be remembred.

First in generall, that you giue due reuerence to the Law; and this generall (1) diuides it selfe into three.

First, not to sue, but vpon iust cause.

Secondly, beeing sued, and Iudgement passed against you, Acquiesce in the Iudgement, and doe not tumultuate against it; and take example from mee, whom you haue heard here protest, that when euer any Decree shall be giuen against me in my priuate right, betweene me and a Subiect, I will as humbly acquiesce as the meanest man in the Land. Imitate me in this, for in euery Plea there are two parties, and Iudgement can be but for one, and against the other; so one must alwayes be displeased.

Thirdly, doe not complaine and importune mee against Iudgements; for I hold this Paradoxe to bee a good rule in Gouvernment, that it is better for a King to maintaine an vniust Decree, then to question euery Decree and Iudgement, after the giuing of a sentence, for then Suites shall neuer haue end: Therefore as you come gaping to the Law for Iustice, so bee satisfied and contented when Iudgement is past against you, and trouble not mee; but if you finde briberie or corruption, then come boldly: but when I say boldly, beware of comming to complaine, except you bee very sure to prooue the iustice of your cause: Otherwise looke for *Lex Talionis* to bee executed vpon you; for your accusing of an vpriight Iudge, deserues double punishment, in that you seeke to lay infamie vpon a worthy person of that reuerent calling.

And be not tild on with your own Lawyers tales, that say the cause is iust for their owne gaine; but beleue the Iudges that haue no hire but of me.

Secondly, in your Pleas, persume not to meddle with things against the Kings (2) Prerogatiue, or Honour: Some Gentlemen of late haue beene too bold this wayes; If you vse it, the Iudges will punish you; and if they suffer it, I must punish both them and you. Plead not vpon new Puritanicall straines, that make all things popular; but keepe you within the ancient Limits of Pleas.

Thirdly, make not many changes from Court to Court: for hee that changeth (3) Courts, shewes to mistrust the iustnesse of the cause. Goe to the right place, and the Court that is proper for your cause; change not thence, and submit your selues to the Iudgement giuen there.

Thus hauing finished the Charge to my selfe, the Iudges and the Auditorie, I am to craue your pardon if I haue forgotten any thing, or beene inforced to break my Methode; for you must remember, I come not hither with a written Sermon: I haue no Bookes to read it out of, and a long speach, manifold businesse, and a little leasure may well pleade pardon for any fault of memorie; and trewly I know not if I haue forgotten any thing or not.



And now haue I deliuered, First my excuse, why I came not till now: Next, the reasons why I came now: Thirdly, my charge, and that to my selfe, to you my Lords the Iudges, and to the Auditorie.

I haue also an ordinary charge that I vse to deliuer to the Iudges before my Councell, when they goe their Circuits; and seeing I am come to this place, you shall haue that also, and so I will make the old saying trew, *Combe seldome, combe sore*, I meane by my long detaining you at this time, which will bee so much the more profitable in this Auditorie; because a number of the Auditorie will be informed here, who may relate it to their fellow Iustices in the countrey.

My Lords the Iudges, you know very well, that as you are Iudges with mee when you sit here; so are you Iudges vnder mee, and my Substitutes in the Circuits, where you are Iudges Itinerant to doe Iustice to my people.

It is an ancient and laudable custome in this Kingdome, that the Iudges goe thorow the Kingdome in Circuits, easing the people thereby of great charges, who must otherwise come from all the remote parts of the Kingdome to *Westminster Hall*, for the finding out and punishing of offences past, and preuenting the offences that may arise.

I can giue you no other charge in effect, but onely to remember you againe of the same in substance which I deliuered to you this time Twelue-moneth.

First, Remember that when you goe your Circuits, you goe not onely to punish and preuent offences, but you are to take care for the good gouernment in generall of the parts where you trauell, as well as to doe Iustice in particular betwixt party and party, in causes criminall and ciuill.

You haue charges to giue to Iustices of peace, that they doe their dueties when you are absent, aswell as present: Take an accompt of them, and report their seruice to me at your returne.

As none of you will hold it sufficient to giue a charge, except in taking the accompt, you finde the fruit of it: So I say to you, it will not bee sufficient for you, to heare my charge, if at your returne you bring not an accompt to the haruest of my sowing, which cannot be done in generall, but in making to me a particular report what you haue done.

For, a King hath two Offices.

First, to direct things to be done:

Secondly, to take an accompt how they are fulfilled; for what is it the better for me to direct as an Angel, if I take not accompt of your doings.

I know not whether misunderstanding, or slacknesse bred this, that I had no accompt but in generall, of that I gaue you in particular in charge the last yeere: Therefore I now charge you againe, that at your next returne, you repaire to my Chancellour, and bring your accompts to him in writing, of those things which in particular I haue giuen you in charge: And then when I haue seene your accompts as occasion shall serue, it may bee I will call for some of you, to be informed of the state of that part of the countrey where your Circuit lay.

Of these two parts of your seruice, I know the ordinary Legall part of *Nisi prius* is the more profitable to you: But the other part of Iustice is more necessary for my seruice. Therefore as CHRIST said to the Pharises, *Hoc agite*, as the most principall: yet I will say, *Et illud non omittite*: which, that you may the better doe, I haue allowed you a day more in your Circuits, then my Predecessours haue done.

And this you shall finde, that euen as a King, (let him be neuer so godly, wise, righteous, and iust) yet if the subalterne Magistrates doe not their parts vnder him, the Kingdome must needes suffer: So let the Iudges bee neuer so carefull and industrious, if the Iustices of Peace vnder them, put not to their helping hands, in vaine is all your labour: For they are the Kings eyes and eares in the countrey. It was an ancient custome, that all the Iudges both immediately before their going to their Circuits, and immediately vpon their returne, repaired to the Lord Chancellour of *England*, both to receiue what directions it should please the King by his mouth to giue vnto them; as also to giue him an accompt of their labours, who was to acquaint the King therewith: And this good ancient custome hath likewise beene too much slacked of late; And therefore first of all, I am to exhort and command you, that you be carefull to giue a good accompt to me and my Chancellour, of the dueties performed by all Iustices of Peace in your Circuits: Which gouernment by Iustices, is so laudable and so highly esteemed by mee, that I haue made *Scotland* to bee gouerned by Iustices and Constables, as *England* is. And let not Gentlemen be ashamed of this Place; for it is a place of high Honour, and great reputation, to be made a Minister of the Kings Iustice, in seruice of the Common-wealth.

Of these there are two sorts, as there is of all Companies, especially where there is a great number; that is, good and bad Iustices: For the good, you are to enforme me of them, that I may know them, thanke them, and reward them, as occasion serues: For I hold a good Iustice of Peace in his Countrey, to doe mee as good seruice, as hee that waites vpon mee in my Priuie Chamber, and as ready will I be to reward him; For I accompt him as capable of any Honour, Office, or preferment about my Person, or for any place of Councill or State, as well as any Courteour that is neere about mee, or any that haue deserued well of me in forreine employments: Yea, I esteeme the seruice done me by a good Iustice of Peace, three hundred miles, yea sixe hundred miles out of my sight, as well as the seruice done me in my presence: For as God hath giuen me large limits, so must I be carefull that my prouidence may reach to the farthest parts of them: And as Law cannot be honoured, except Honour be giuen to Iudges: so without due respect to Iustices of Peace, what regard will be had of the seruice?

Therefore let none be ashamed of this Office, or be discouraged in being a Iustice of Peace, if he serue worthily in it.

The Chancellour vnder me, makes Iustices, and puts them out; but neither I, nor he can tell what they are: Therefore wee must bee informed by you Iudges,



who can onely tell, who doe well, and who doe ill; without which, how can the good be cherished and maintained, and the rest put out? The good Iustices are carefull to attend the seruice of the King and countrey, for thanks onely of the King, and loue to their countrey, and for no other respect.

The bad are either idle Slowbellies, that abide alwayes at home, giuen to a life of ease and delight, liker Ladies then men; and thinke it is enough to contemplate Iustice, when as *Virtus in actione consistit*: contemplatiue Iustice is no iustice, and comtemplatiue Iustices are fit to be put out.

Another sort of Iustices are busie-bodies, and will haue all men dance after their pipe, and follow their greatnesse, or else will not be content; A sort of men, *Qui se primos omnium esse putant, nec sunt tamen*: these proud spirits must know, that the countrey is ordained to obey and follow God and the King, and not them.

Another sort are they, that goe seldome to the Kings seruice, but when it is to helpe some of their kindred or alliance; So as when they come, it is to helpe their friends, or hurt their enemies, making Iustice to serue for a shadow to Faction, and tumultuating the countrey.

Another sort are Gentlemen of great worth in their owne conceit, and cannot be content with the present forme of Gouvernement, but must haue a kind of libertie in the people, and must be gracious Lords, and Redeemers of their libertie; and in euery cause that concernes Prerogatiue, giue a snatch against a Monarchie, through their Puritanicall itching after Popularitie: Some of them haue shewed themselues too bold of late in the lower house of Parliament: And when all is done, if there were not a King, they would be lesse cared for then other men.

And now hauing spoken of the qualities of the Iustices of Peace, I am next to speake of their number. As I euer held the midway in all things to be the way of Vertue, in eschewing both extremities: So doe I in this: for vpon the one part, a multitude of Iustices of Peace in the countrey more then is necessary, breeds but confusion: for although it be an old Prouerbe, that *Many handes make light worke*; yet too many make slight worke; and too great a number of Iustices of Peace, will make the businesse of the countrey to be the more neglected, euery one trusting to another, so as nothing shall bee well done; besides the breeding of great corruption: for where there is a great number, it can hardly bee, but some will bee corrupted. And vpon the other part, too few Iustices of Peace, will not be able to vndergoe the burthen of the seruice; And therefore I would neither haue too few, not too many, but as many in euery countrey, as may, according to the proportion of that countrey, bee necessary for the performing of the seruice there, and no more.

As to the Charge you are to giue to the Iustices, I can but repeat what formerly I haue told you; yet in so good a businesse,

*Lectio lecta placet, decies repetita placebit.*

And as I began with fulfilling the Prouerbe, *A Ioue principium*; so will I begin this Charge you are to giue to the Iustices with Church-matters: for GOD will blesse euery good business the better, that he and his Church haue the precedence. That which I am now to speake, is anent Recusants and Papists. You neuer returned from any Circuit, but by your accompt made vnto me, I both conceiued great comfort and great grieve: Comfort, when I heard a number of Recusants in some Circuits to be diminished: Griefe to my heart and soule, when I heard a number of Recusants to be in other Circuits increased.

I protest vnto you, nothing in the earth can grieue mee so much, as mens falling away from Religion in my dayes; And nothing so much ioyes mee, as when that Religion increaseth vnder mee. GOD is my witnesse, I speak nothing for vaine-glory; but speake it againe; My heart is grieved when I heare Recusants increase: Therefore I wish you Iudges, to take it to heart, as I doe, and preuent it as you can; and make me knowen to my people, as I am.

There are three sorts of Recusants: The first are they that for themselues will bee no Recusants, but their wiues and their families are; and they themselues doe come to Church, but once or twice in a yeere, inforced by Law, or for fashion sake; These may be formall to the Law, but more false to GOD then the other sort.

The second sort are they that are Recusants and haue their conscience misseled, and therefore refuse to come to Church, but otherwise liue as peaceable Subiects.

The third sort are practising Recusants: These force all their seruants to bee Recusants with them; they will suffer none of their Tenants, but they must bee Recusants; and their neighbours if they liue by them in peace, must be Recusants also.

These you may finde out as a foxe by the foule smell, a great way round about his hole; This is a high pride and presumption, that they for whose soules I must answere to GOD, and who enioy their liues and liberties vnder mee, will not onely be Recusants themselues, but infect and draw others after them.

As I haue said in Parliament house, I can loue the person of a Papist, being otherwise a good man and honestly bred, neuer hauing knowen any other Religion: but the person of an Apostate Papist, I hate. And surely for those Poly-pragmaticke Papists, I would you would studie out some seuer punishment for them: for they keepe not infection in their owne hearts onely, but also infect others our good Subiects. And that which I say for Recusants, the same I say for Priests: I confesse I am loath to hang a Priest onely for Religion sake, and saying Masse; but if he refuse the Oath of Alleagiance (which, let the Pope and all the deuils in Hell say what they will) yet (as you finde by my booke and by diuers others, is meerely Ciuill) those that so refuse the Oath, and are Poly-pragmaticke Recusants; I leaue them to the Law; it is no persecution, but good Iustice.



And those Priests also, that out of my Grace and Mercy haue beene let goe out of prisons, and banished, vpon condition not to returne; aske mee no questions touching these, quit me of them, and let mee not heare of them: And to them I ioyne those that breake prison; for such Priests as the prison will not hold, it is a plaine signe nothing will hold them but a halter: Such are no Martyrs that refuse to suffer for their conscience. *Paul*, notwithstanding the doores were open, would not come forth: And *Peter* came not out of the prison till led by the Angel of God: But these will goe forth though with the angel of the Diuell.

I haue giuen order to my Lord of *Canterbury*, and my Lord of *London* for the distinction, &c. of the degrees of Priests; and when I haue an accompt from them, then will I giue you another charge concerning them.

Another thing that offendeth the Realme, is abundance of Ale-houses; and therefore to auoyd the giuing occasion of euill, and to take away the root, and punish the example of vice, I would haue the infamous Ale houses pulled downe, and a command to all Iustices of Peace that this be done.

I may complaine of Ale-houses, for receipt of Stealers of my Deere; but the countrey may complaine for stealing their horses, oxen, and sheepe; for murder, cutting of purses, and such like offences; for these are their haunts. Deuouring beasts, as Lyons and Beares, will not bee where they haue no dennes nor couert; So there would be no theeuers, if they had not their receipts, and these Ale-houses as their dennes.

Another sort, are a kinde of Alehouses, which are houses of haunt and receipt for debaushed rogues and vagabonds, and idle sturdie fellowes; and these are not properly Ale-houses, but base victuallers, such as haue nothing else to liue by, but keeping houses of receipt for such kinde of customers. I haue discovered a strange packe of late, That within tenne or twelue miles of *London*, there are ten or twelue persons that liue in spight of mee, going with Pistols, and walking vp and downe from harbour to harbour killing my Deere, and so shift from hold to hold, that they cannot be apprehended.

For Rogues, you haue many good Acts of Parliament: *Edward* the sixt, though hee were a child, yet for this, he in his time gaue better order then many Kings did in their aage: You must take order for these Beggars and Rogues; for they so swarme in euery place, that a man cannot goe in the streetes, nor in the high wayes, nor any where for them.

Looke to your houses of Correction, and remember that in the chiefe Iustice *Pophams* time, there was not a wandering begger to bee found in all *Somersetshire*, being his natiue countrey.

Haue a care also to suppress the building of Cottages vpon Commons, which are as bad as Alehouses, and the dwellers in them doe commonly steale Deere, Conies, sheepe, oxen, horses; breake houses, and doe all maner of villanies. It is trew, some ill Iustices make gaine of these base things: take an accompt of the Iustices of Peace, that they may know they doe these things against the will of the King.

I am likewise to commend vnto you a thing very necessarie, Highways and Bridges; because no Common-weale can bee without passage: I protest, that as my heart doeth ioy in the erection of Schooles and Hospitals, which haue beene more in my time, then in many aages of my predecessours; so it grieues mee, and it is wonderfull to see the decay of charitie in this; how scant men are in contributing towards the amendment of High-ways and Bridges: Therefore take a care of this, for that is done to day with a penie, that will not bee done hereafter with an hundred pounds, and that will be mended now in a day, which hereafter will not be mended in a yeere; and that in a yeere, which will not bee done in our time, as we may see by *Pauls Steeple*.

Another thing to be cared for, is, the new Buildings here about the Citie of *London*: concerning which my Proclamations haue gone foorth, and by the chiefe Iustice here, and his Predecessor *Popham*, it hath bene resolved to be a generall nusans to the whole Kingdome: And this is that, which is like the Spleene in the body, which in measure as it ouergrowes, the body wastes. For it is possible but the Countrey must diminish, if *London* doe so increase, and all sorts of people doe come to *London*? and where doeth this increase appeare? not in the heart of the Citie, but in the suburbes; not giuing wealth or profit to the Citie, but bringing miserie and surcharge both to Citie and Court; causing dearth and scarcitie through the great prouision of victuals and fewel, that must be for such a multitude of people: And these buildings serue likewise to harbour the worst sort of people, as Alehouses and Cottages doe. I remember, that before Christmas was Twelue-moneth I made a Proclamation for this cause, That all Gentlemen of qualitie should depart to their owne countreys and houses, to maintaine Hospitalitie amongst their neighbours; which was equiuocally taken by some, as that it was meant onely for that Christmas: But my will and meaning was, and here I declare that my meaning was, that it should alwayes continue.

One of the greatest causes of all Gentlemens desire, that haue no calling or errand, to dwell in *London*, is apparently the pride of the women: For if they bee wiues, then their husbands; and if they be maydes, then their fathers must bring them vp to *London*; because the new fashion is to bee had no where but in *London*: and here, if they be vnmarried, they marre their marriages, and if they be married, they loose their reputations, and rob their husbands purses. It is the fashion of *Italy*, especially of *Naples*, (which is one of the richest parts of it) that all the Gentry dwell in the principall Townes, and so the whole countrey is emptie: Euen so now in *England*, all the countrey is gotten into *London*; so as with time, *England* will onely be *London*, and the whole countrey be left waste: For as wee now doe imitate the French fashion, in fashion of Clothes, and Lackeys to follow euery man; So haue wee got vp the Italian fashion, in liuing miserably in our houses, and dwelling all in the Citie: but let vs in Gods Name leaue these idle forreine toyes, and keepe the old fashion of *England*: For it was wont to be the honour and reputation of the English Nobilitie and Gentry, to liue in the coun-



trey, and keepe hospitalitie; for which we were famous aboue all the countreys in the world; which wee may the better doe, hauing a soile abundantly fertile to liue in.

And now out of my owne mouth I declare vnto you, (which being in this place, is equall to a Proclamation, which I intend likewise shortly hereafter to haue publicly proclaimed,) that the Courtiers, Citizens, and Lawyers, and those that belong vnto them, and others as haue Pleas in Terme time, are onely necessary persons to remaine about this Citie; others must get them into the Countrey; For beside the hauing of the countrey desolate, when the Gentry dwell thus in *London*, diuers other mischiefes arise vpon it: First, if insurrections should fall out (as was lately seene by the *Leuellers* gathering together) what order can bee taken with it, when the country is vnfurnished of Gentlemen to take order with it? Next, the poore want reliefe for fault of the Gentlemens hospitalitie at home: Thirdly, my seruice is neglected, and the good gouernment of the countrey for lacke of the principall Gentlemens presence, that should performe it: And lastly, the Gentlemen lose their owne thrift, for lacke of their owne presence, in seeing to their owne businesse at home. Therefore as euery fish liues in his owne place, some in the fresh, some in the salt, some in the mud: so let euery one liue in his owne place, some at Court, some in the Citie, some in the Countrey; especially at Festiuall times, as Christmas and Easter, and the rest.

And for the decrease of new Buildings heere, I would haue the builders restrained, and committed to prison; and if the builders cannot be found, then the workemen to be imprisoned; and not this onely, but likewise the buildings to bee cast downe; I meane such buildings as may be ouerthrowen without inconuenience, and therefore that to be done by order and direction.

There may be many other abuses that I know not of; take you care my Lords the Iudges of these, and of all other; for it is your part to looke vnto them. I heare say, robbery begins to abound more then heretofore, and that some of you are too mercifull; I pray you remember, that mercy is the Kings, not yours, and you are to doe Iustice where trew cause is: And take this for a rule of Policie, That what vice most abounds in a Common-wealth, that must be most seuerely punished, for that is trew gouernment.

† And now I will conclude my Speach with GOD, as I began. First, that in all your behauiours, aswell in your Circuits as in your Benches, you giue due reuerence to GOD; I meane, let not the Church nor Churchmen bee disgraced in your Charges, nor Papists nor Puritanes countenanced: Countenance and encourage the good Church-men, and teach the people by your example to reuerence them: for, if they be good, they are worthy of double honour for their Office sake; if they be faultie, it is not your place to admonish them; they haue another *Forum* to answere to for their misbehaviour.

Next, procure reuerence to the King and the Law, enforme my people trewly of mee, how zealous I am for Religion, how I desire Law may bee maintained and

flourish; that euery Court should haue his owne Iurisdiction; that euery Subiect should submit himselfe to Law; So may you liue a happie people vnder a iust KING, freely enioying the fruite of PEACE and IUSTICE, as such a people should doe.

Now I confesse, it is but a *Tandem aliquando*, as they say in the Schooles, that I am come hither: Yet though this bee the first, it shall not, with the grace of God, bee the last time of my comming, now my choice is taken away; for hauing once bene here, a meaner occasion may bring mee againe: And I hope I haue euer caried my selfe so, and by GODS grace euer will, as none will euer suspect, that my comming here will be to any partiall end; for I will euer bee carefull in point of Iustice, to keepe my selfe vnspotted all the dayes of my life. And vpon this my generall protestation, I hope the world will know, that I came hither this day to maintaine the Law, and doe Iustice according to my Oath.





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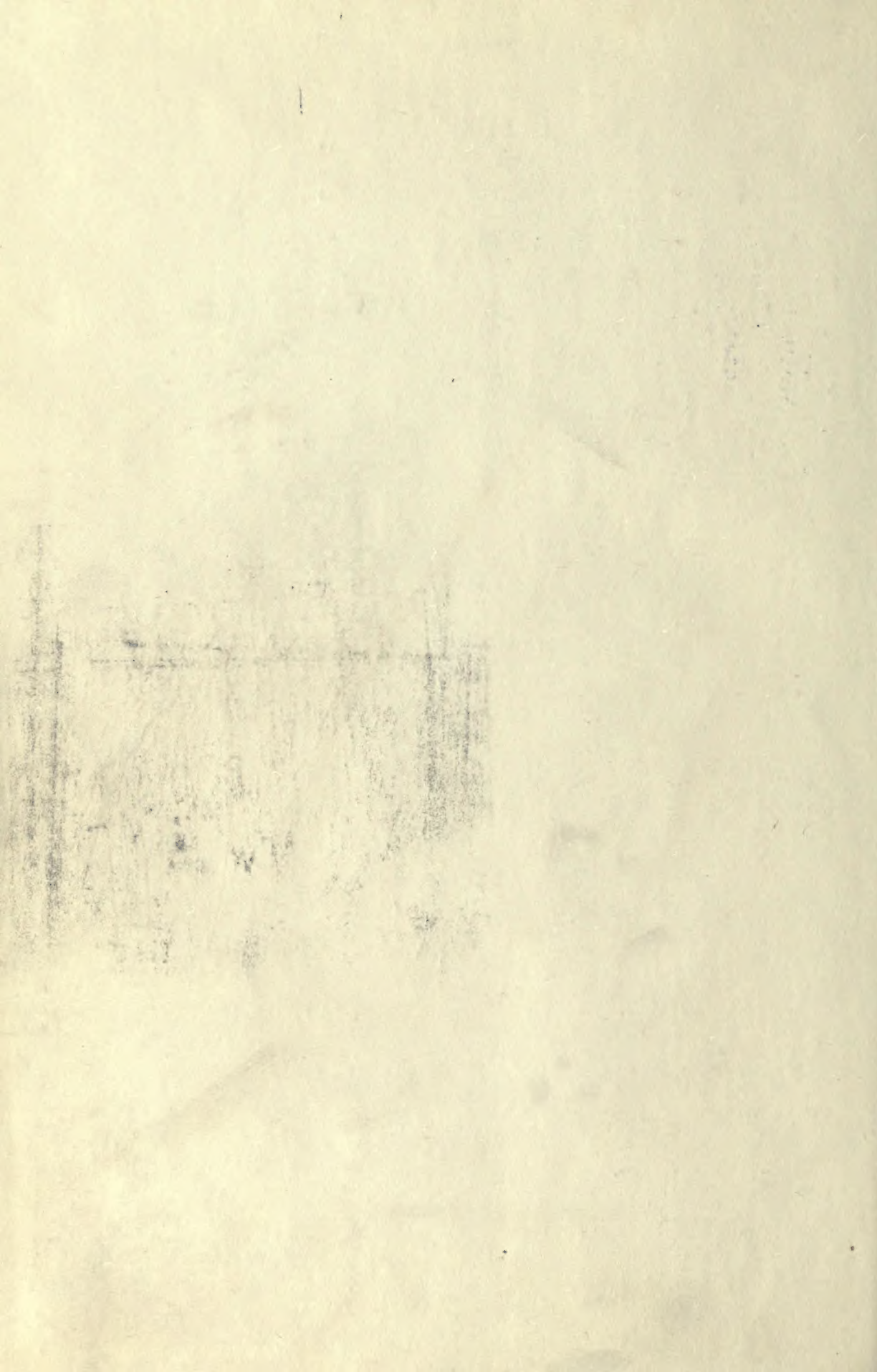












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